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DESPATCHES FROM UNITED STATES CONSULS IN PRETORIA, 1898-1906

Roll 1

Volume 1

July 1, 1898 - December 30, 1900



THE NATIONAL ARCHIVES  
NATIONAL ARCHIVES AND RECORDS SERVICE  
GENERAL SERVICES ADMINISTRATION

Washington: 1962

Val. 1

Insular Letters

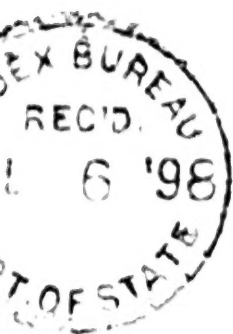
Pretoria

July 1, 1898 - to Dec. 31, 1900.

Not enough for  
a vol.



No.



Consulate of the United States, Pretoria S.A.R.  
Now in Washington, July 1<sup>st</sup>, 1898

Mr. Macmillan.

To the Department of State.

ack'd  
July 2

Subject:

Appointments.

Abstract of Contents.

Ms.

Consulate of the United States, Pretoria S.A.R.  
Now in Washington July 1<sup>st</sup>, 1898

Honorable John B. Mason  
Assistant Secretary of State,

Washington, D. C.

Sir:

I try to acknowledge receipt of your communications bearing date of June 8<sup>th</sup>, 1898, and numbered one and two, informing me of my appointment as Consul at Pretoria S.A.R., and enclosing blank forms of bond and oath for execution, and hereby notify you of my acceptance of said appointment.

I return herewith the bond and oath duly executed, and in reply to the department inquiries how to say that I was born in Pittsburg, Pa, and have never resided in Great Britain or any of her dependencies,

Enclose \$1 for my passport  
which I trust will be handed to me  
at the Consular Bureau here.

I have taken passage on the  
Steamer "Haskell" sailing from  
Philadelphia on the 9th inst, and  
my address until sailing will  
be as given below.

Very Respectfully

~~John D. Macnamara~~

Consul at London.

Address National Hotel

Washington.

Enclosures

1 Bond

1 Oath

✓ 1 On Lacer.





Consul's Bureau  
No. *25* *Pretoria, S.A.T.*  
**United States Government Despatch Agency,**

*Room 151 Post Office Building*

Cable Address,  
Usda Newyork.

*New York,*

July 8, 1898.



Honorable John B. Moore,

Assistant Secretary of State,

Washington, D. C.



Sir:

I have the honor to inform you that, according to the instructions received from Mr. Cridler, allowing me \$300.00 for furnishings of my office at Pretoria, I have made a partial purchase, through and with the the advice of Mr. Roosa, your Despatch Agent here, who will transmit the account and which you will charge against my allowance.

I trust this will be satisfactory and I have the honor to

Remain, Sir,

Your most obedient servant,

*Chas. E. Macnamy*  
U. S. Consul.



44

Mr. R. R. R.  
Bureau of Accounts

No 1

Consulate of the United States  
at Pretoria, S.A.R.

August 25 1898



Ans. Oct. 6.

Mr. Macmillan

to the

Department of State.



### Abstract of contents.

Arrival at post, Presentation  
of letter of credence and commis-  
sion to the Foreign Secretary.

Account of Carpet purchased,  
enclosed, Transit account  
enclosed, Exchange vouchers  
enclosed, Lease of offices  
sent for approval, Supplies  
not arrived, Acknowledgment  
of letters received

The Consul at Victoria has leased a house for 3 years and asks approval. If we approve it should be without assuming any responsibility under the lease (par 64 C. R.).

He says the rent for 7 rooms is £180 (\$900) apparently a good deal for a small town. For the two rooms used as an office - he rents them furnished he proposes to charge in his accounts £80 (\$400; the maximum for a 2000 croulote).

He has been allowed \$300 for furniture & has spent \$42.88 for carpets &c. As the rooms are rented furnished should we tell him not to use the remainder?

No 1

Consul of the United States

Pretoria, Aug 25<sup>th</sup> 1898

Hon Jas. M. Coulter

Asst Secy of State

Washington, D.C.

Sir:

I have the honor to inform you that on last Sunday, the 21<sup>st</sup> inst. I arrived in Pretoria.

Tuesday, 23<sup>rd</sup>, afternoon I called at the office of the Foreign Secretary, Hon Pitt Rivers, and presented my credentials and Commission. The gentleman informed me that my exequatur would be handed me this week.

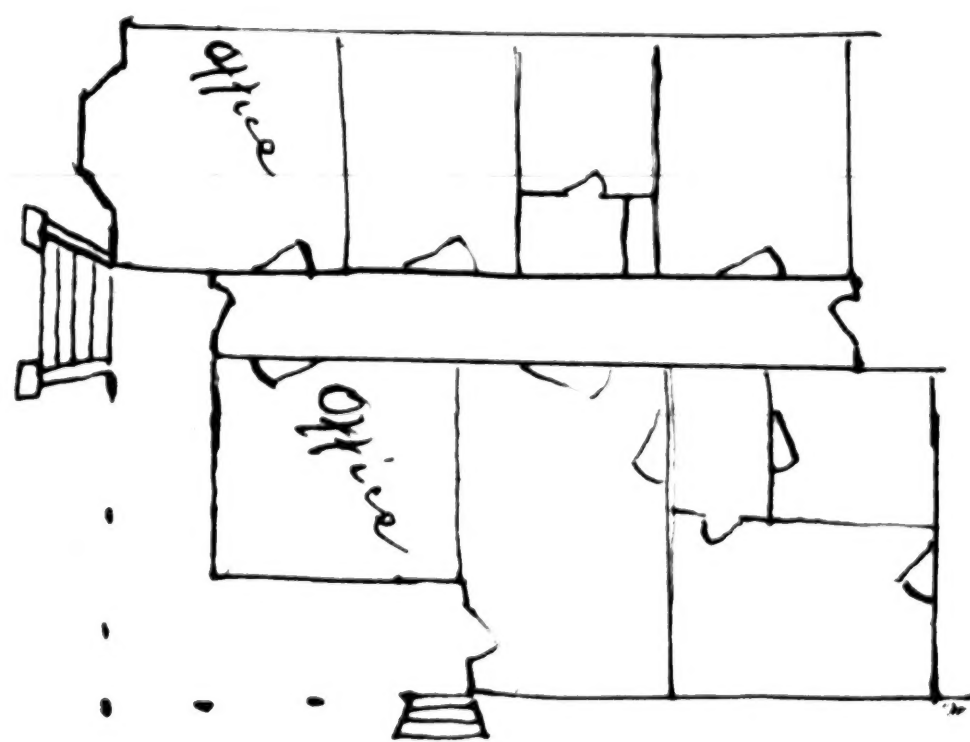
I enclose herewith account for carpet, rug and seat which I purchased in London, on the Authority of your order No 5 issued July 2<sup>nd</sup> at a cost of £8 12 9 or \$42.03 as per voucher herewith. and I have sold draft for \$42.88 including \$85 loss by exchange to the Standard Bank of S. Africa.

(S)



2/ I also enclose herewith  
my bank account, which  
I trust you will find correct  
and would advise that I  
have drawn through the Stand-  
ard Bk. for \$239.13 and \$1.58  
less by exchange making a total  
of \$240.71. Less by exchange  
is shown for both drafts in the  
3/ Exchange Voucher, which is also  
enclosed.

I have had the good fortune  
to arrange for offices in the  
same house in which I shall  
live. I have taken a three year  
lease on the place at a cost  
of £80 per year for the office.  
I have contracted to pay £100  
per year for the balance of the house  
and find that £15 per month is a very  
reasonable rent here. I have



Made sketch her to give the idea  
(of



of the location of the offices.  
The dwelling is in Sunnyside  
in the eastern end of Victoria  
and is situated on Walker St  
(houses are not numbered here)

H/ I have the honor to submit  
herewith the bill which I  
trust you may see fit to approve.

My supplies and furniture  
have not yet arrived but I  
look for them within two weeks.

I have the honor to ac-  
knowledge receipt of two  
letters: Invoice of Supplies  
and Invoice of Typewriter.

I am, Sir

Your obedient servant  
Wm. J. Macdonald  
W. J. Macdonald

Enclosures

1. M {  
1. Receipt voucher  
2. Transit account  
3. Exchange Voucher  
4. Lease of Office.

~~----- L E A S E -----~~  
~~\*\*\*\*\*~~

Memorandum of an agreement made and entered into at Pretoria this 25<sup>th</sup> day of August 1900, Charles Frederick William Jappe of Pretoria hereinafter styled the Lessor and Charles Eversom Macrum in his capacity as Consul of the United States of America, also of Pretoria, hereinafter styled the Lessee witnesses:-

The said Charles Frederick William Jappe hereby agrees to let to the said Charles Eversom Macrum in his aforesaid capacity who agrees to hire certain two rooms in his house situated on erven Nos. 39 & 40, Macklennuk, for a space or term of three years commencing on the first day of September 1900 on the following terms and conditions to wit:-

(1). The said Lessor agrees to deliver over the said Offices to the said Lessee in a good and substantial state of repair together with the furniture at present in the aforesaid rooms and that the said Lessee shall have full free and undisturbed possession of the same for the space or term aforesaid.

(2) And the said Lessee, upon his part, doth covenant promise and agree that he will not sublet the said Offices and premises or any portion thereof nor make any material alterations therein without the consent of the said Lessor, in writing, first had and obtained.

(3). That the said Lessee shall will and punctually pay or cause to be paid all rates and assessments that may at any time during the said term fall due and owing in respect of the said Offices save and except water-rates which shall be



be paid by the Lessor.

(4). That at the expiration of the said term of three years or whenever he shall be lawfully called upon to do so, the said Lessee shall deliver over the said Offices furniture and premises to the said Lessor in the same good order and condition as he shall have received them, reasonable wear and tear only excepted.

(5). That the said Lessee shall well and truly pay or cause to be paid to the said Lessor at his Office, Pretoria as rent of the said premises the sum of ~~£~~ (Eighty pounds Sterling). per year, payable monthly in advance the first payment to be made on the 1st day of September 1903.

(6). And it is further expressly stipulated and agreed between the said parties that should either of them at any time commit any breach of any conditions or clauses herein contained it shall be lawful for the other party should he so desire to declare this agreement to be cancelled void and of no effect.

(7). It is distinctly agreed and understood that should the rent not be paid on due date the lessor shall have the right to cancel this agreement and eject the Lessee without any formal process of law, the Lessor always reserving his rights.

In witness whereof the appearers hereby sign these presents binding their persons and property for the due fulfilment thereof according to law.

Pretoria 25<sup>th</sup> August 1903.

As Witnesses.

*Mention*  
*Wm. H. Haines*

*Chas. H. Haines*  
*Chas. E. Haines*

place

of  
Consular Office



Cons Bureau

No 7.

Consulate of the United States at Pretoria.

Pretoria, September 3rd 1898

Mr. Macrum

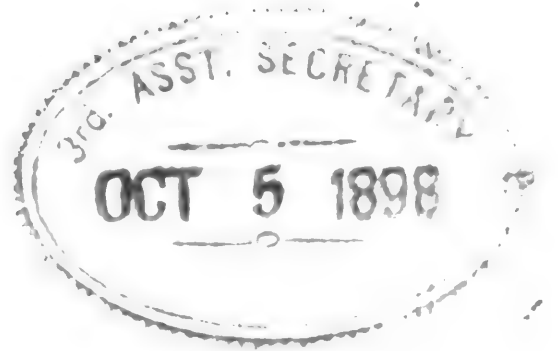
to the

Department of State.

See No. 14. Nov 2/98.

asked further  
act 12

Approved  
A. J. C. J.



Abstract of contracts.  
Enclosure of reply to Letter of Consul  
with translation. — Recommendation  
for Vice Consul.

Mr. Lam

I have approved this on  
the theory that his business  
i.e. — the Representation of  
foreign mercantile houses —  
would not interfere. What  
do you think A. J. C. J.

No 7.

Consulate of the United States at Pretoria  
September 3<sup>rd</sup> 1898

Hon J B Moore.

Asst. Secretary of State.  
Washington D.C.

Sir:-

I have the honor to enclose herewith a reply  
to the Hon. Secretary's Day's letter of credence,  
together with translation of same.

I have the honor to nominate as  
Vice-Consul, Mr. E. A. van Ossenigen  
of this city, a native of Holland and now a  
citizen & burgher of this Government, and  
has been very highly recommended to me by  
leading men of this city and Johannesburg.  
He is a prominent man in insurance cir-  
cles and also represents a number of merchan-  
tile houses abroad. He is a very useful man  
traveller, being a sworn translator in several lan-  
guages and is in touch with all the Officials  
of this Government. I trust you will see fit to  
promptly make the appointment, and upon such  
indication he will immediately execute the nec-  
essary bond in such amount as may be required.

I have the honor to be

Sir

Your obedient servant  
L. E. Macnamé,  
U.S. Consul.

# Know all men by these Presents:

That we, Emil A. van Ameringen, principal  
and John J. Fillmore Blake and  
Walter Sydney Bass, sureties,  
are held and firmly bound to the UNITED STATES OF AMERICA in the sum  
of two (2) thousand dollars, money of the said United States, to  
the payment whereof we bind ourselves, jointly and severally, our joint  
and several heirs, executors, and administrators.

Witness our hands and seals this Ninth day  
of February, 1899.

The condition of the above obligation is such, That if the above-  
bounden Emil A. van Ameringen, appointed  
Vice Consul of the United States at  
Pretoria, South African Republic, shall truly and faithfully  
discharge the duties of his said office according to law, and shall also truly  
and faithfully account for, pay over, and deliver up all moneys, goods,  
effects, books, records, papers, and other property which shall come into the  
hands of the said Emil A. van Ameringen, or into  
the hands of any person for his use as such Vice Consul,  
under any law now or hereafter enacted, and faithfully perform all  
other duties now or hereafter lawfully imposed upon him as such  
Vice Consul, then this obligation to be void;  
otherwise, to remain in full force.

Signed, sealed, and delivered in the presence of—

Emil A. van Ameringen  
Emil A. van Ameringen [SEAL.]

John J. Fillmore Blake [SEAL.]

Walter Sydney Bass [SEAL.]

Sarend Peterson

W. H. Stonehouse

W. H. Stonehouse  
W. H. Stonehouse



State of \_\_\_\_\_, County of \_\_\_\_\_, SS:

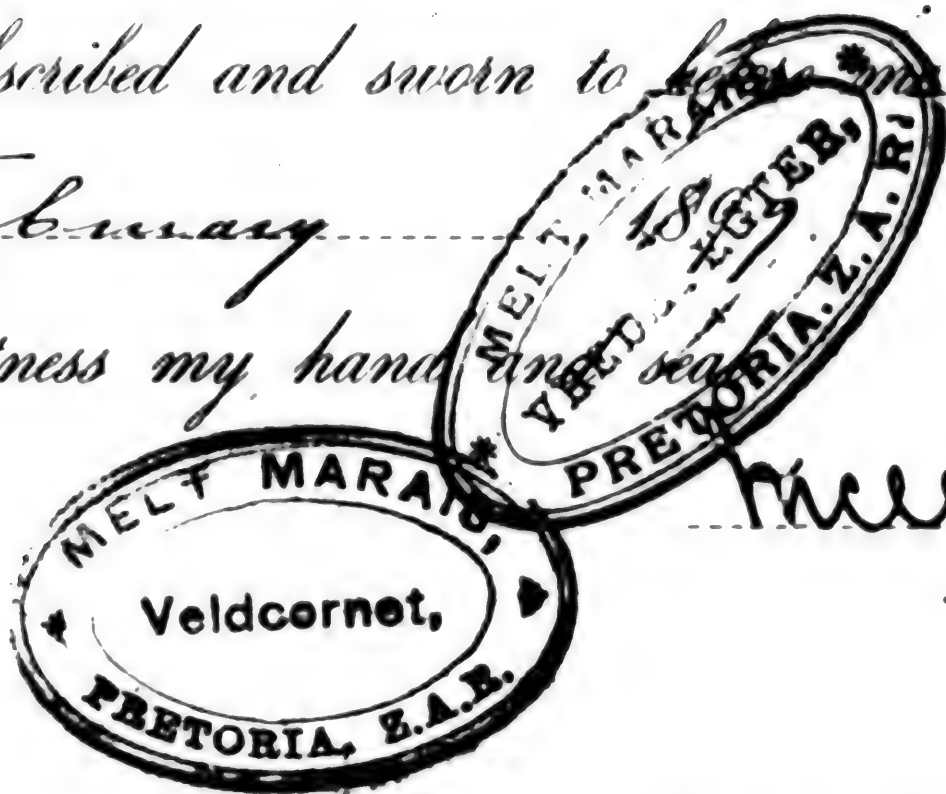
I, John Y. Fillmore Blake, the within-named  
surety on the official bond of Emil A. van Ameringen  
appointed Vice Consul at Pretoria,  
do solemnly swear that I am reasonably worth the sum  
of two thousand dollars  
over and above all debts, liabilities, and property exempt from execu-  
tion, and that I executed and delivered the within bond without any con-  
dition, reservation, or agreement other than appears on the face thereof.

My address is No. Box 633 <sup>West</sup> Street, Pretoria.

John Y. Fillmore Blake

Subscribed and sworn to before me this seventh day  
of February

Witness my hand



Melit Marais [L. S.]

State of \_\_\_\_\_, County of \_\_\_\_\_, SS:

I, Walter Sydney Bass, the within-named  
surety on the official bond of Emil A. van Ameringen  
appointed Vice Consul at Pretoria,  
do solemnly swear that I am reasonably worth the sum  
of two thousand dollars  
over and above all debts, liabilities, and property exempt from execu-  
tion, and that I executed and delivered the within bond without any con-  
dition, reservation, or agreement other than appears on the face thereof.



Walter Sydney Bass

Witness my hand and



before  
80  
WEST MANAIS  
VEDE KUTEN  
PRETORIA A.F.

~~Initials~~ *initials* and v. h. [L. S.]

Dated at Porto Rico, P.R. Feb 11, 1899. U. S. CONSUL.

Washington, \_\_\_\_\_, 189 .

Approved.

*Secretary of State.*

Mr. van Ameringen is a citizen of the South African Republic.

*Appointment*  
Chief of the ~~Consular~~ Bureau.

- 1st. The Christian names must be written in the body of the bond in full, and so signed in the bond.
- 2d. A seal to be attached to each signature.
- 3d. Each signature must be made in the presence of two persons, who must sign their names as witnesses.
- 4th. The United States attorney of the district in which the sureties reside must certify that they are sufficient to pay the penalty of the bond and are citizens of the United States. If, however, the sureties are not citizens of the United States their sufficiency to pay the penalty of the bond should be certified by the consul.
- 5th. Bond to be dated.
- 6th. Women will not be accepted as sureties; but by the act of August 13, 1894, a security or guaranty company which has complied with the provisions of that act is permitted to become security on a consul's bond in lieu of individual sureties.



TRANSLATION.

Pretoria ,26th August 1898

Your Excellency,

I have the honour to acknowledge the receipt of your Excellencys communication dated the 5th of July 1898 intimating that Mr Charles E. Macrum has been appointed by your Government Consul for the United States of North America and in which you request this Governments' acknowledgement of the appointment.

This Government notes the appointment with great pleasure and trusts that it will add to the friendliness and good feeling which exists between the two Governments and trusts the appointment may tend to facilitate the commercial relations already existing between both countries.

It will always afford this Government pleasure to assist your Consul in every way to facilitate him in the execution of his duties.

As requested by your Excellency the necessary acknowledgement of his appointment together with his credentials will be forwarded to him in due course.

I have the honour to be.

Your Obedient Servant

(Sgd) F.W. REITZ

State Secretary.

*His Excellency the Secretary of State  
of the United States of North America  
Washington U.S.A.*





A 4536 / 189  
2051 / 189

bij eventueele referte  
brief bovenstaande  
aan te halen.



Departement van Buitenlandsche Zaken.  
Gouvernements Kantoor.

Pretoria, zeven en twintig Augustus 1898.

Excellentie,

Ik heb de eer de ontvangst te  
erkennen van Uwer Excellentie's missive van den 5 da-  
gch., waarin zij mij onder begroeting van het desbe-  
treffend Bureau van aanstelling informeerde dat de  
Heer Charles E. Merum is benoemd tot Consul  
der Verenigde Staten van Noord Amerika te Pretoria  
en verzoekt dat aan genoemde Heer, het  
verisch is Exequatur moge worden afgestaan.

"Dex"

Van Zijne Excellentie den Secretaris van Staat.  
der Verenigde Staten van Noord Amerika.  
Washington.



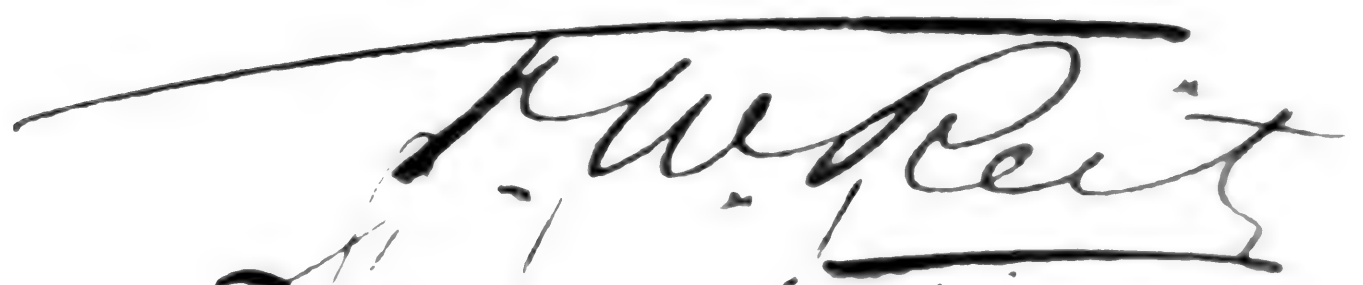


Deze Regering heeft met bijzondere ingenuom-  
heid kennis genomen van deze benoeming, die, naar  
zij vertrouwen, steekten zal tot versterking der vriend-  
schappelijke verhoudingen bestaande tusschen Uwe  
Regering en deze Regering en tot uitbreiding der  
handelsrelaties tusschen de beide landen, en het zal haar  
leeds aangenaam zijn den Heer Macrum zooda-  
nig hulp en zoodanige faciliteiten te verlenen als noodig  
of wettig moge zijn voor de schoonlyke en ongestoorde  
uitleefing zijner functien.

Indien Uwe Excellentie verzoekt zal het  
persoonlijke Secretaris te zamen met het Bureau van aan-  
melding, aan Edijsteninge, den Heer Macrum voor-  
den tegezinden...

Verzoeken met geraden van bijzondere  
hoofschten.

Uwe Excellentie tenoos. dienaar,

  
Secretaris.



4  
K-  
No. 3



*Consulate of the United States,*

at Pretoria, S.A.R. Sept. 24th , 1898

*Mr. Macrum,*

*To the Department of State.*

*Subject:*

Appointment of Messenger.

*Aus  
Nov 9  
1898*

*Abstract of Contents.*

Enclosure of invoices receipted.-- Appointment of Messenger.--

Salary seven pounds per month.-- Pay excess<sup>I</sup>over allowance

of \$25 per month myself.-- Request that accounts be approved.





*Consulate of the United States, Pretoria,*

September 24th

, 1898

*Honorable* James B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honor to report the arrival of my supplies and I herewith enclose in return the invoices of same with receipt endorsed thereon.

I have also the honor to report that in accord with letter dated July 2nd, 1898, making an allowance of \$300 for messenger service for this Consulate for the current fiscal year, I engaged, on August 29th, Franz de Beer, an educated native at a salary of seven pounds sterling per month, not being able to obtain one for less and I shall pay the excess over \$25 per month myself until such time as the Department of State sees fit to increase the allowance, which I trust will be done soon.

I have the honor to request that, should there be anything the matter with my accounts, you have them passed and advise me of the error that I may correct it, as it would be a serious thing to me here to have my drafts dishonored and as I have no past records to guide me I am

(not)





not absolutely certain that I get everything in exactly  
the proper shape, although I do the best I can and, no  
doubt, shall soon succeed.

I have the honor to be

Sir,

Your obedient servant,

A handwritten signature in cursive script, appearing to read "H. S. Thompson". The signature is written in dark ink and is positioned below the typed name "H. S. Thompson".

U.S. Consul.

Enclosures:

1-2 Invoices of Supplies, receipted.



*R* No. 4.

*Consulate of the United States,*

Pretoria, S.A.R., October 8th, , 1898.



*Mr. Macrum,*

*To the Department of State.*

*Subject:*

Contemplated appointment of S.A.R. Consul to U.S.

Frank on Mail.

*Checked  
by form  
Nov 9  
1898*

*Abstract of Contents.*

Information from Foreign Secretary of probable appointment of  
Consul for S.A.R. to N.Y. City.--Likely a N.Y. resident.

Have been extended a frank on official mail within S.A.R.





No. 4.

*Consulate of the United States,*

Pretoria, S.A.R., October 8th 1898

*Honorable* John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honor to inform you that while calling at my office yesterday, the Honorable P.C.W. Grobler, Under Secretary of State for Foreign Affairs, took occasion to inform me that the Government of the South African Rep. contemplated the appointment of a Consul at New York City in the near future, but that they had not yet decided on the man, and he intimated that it would be a business man, already resident in New York.

I have also the honor to report that I have been extended a frank on all official mail addressed within the limits of this State.

I have the honor to be

Sir,

Your obedient servant,

  
U.S. Consul.



No. 5.

Consular Bureau

Consulate of the United States,

Pretoria, S.A.R., October 11th, 1898.



Mr. Macrum,

To the Department of State.

Subject:

Leave of Absence to J.C. Manion, Consular Agent.

*Abstract of Contents.*

Application for leave of absence granted.-- A.J. Yeoman in charge.

Approved by Auditor  
Nov 17  
ACK with approval  
Ridder





Ms. -

*Consulate of the United States,*

Pretoria, S.A.R., October 11th , 1898

*Honorable* John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

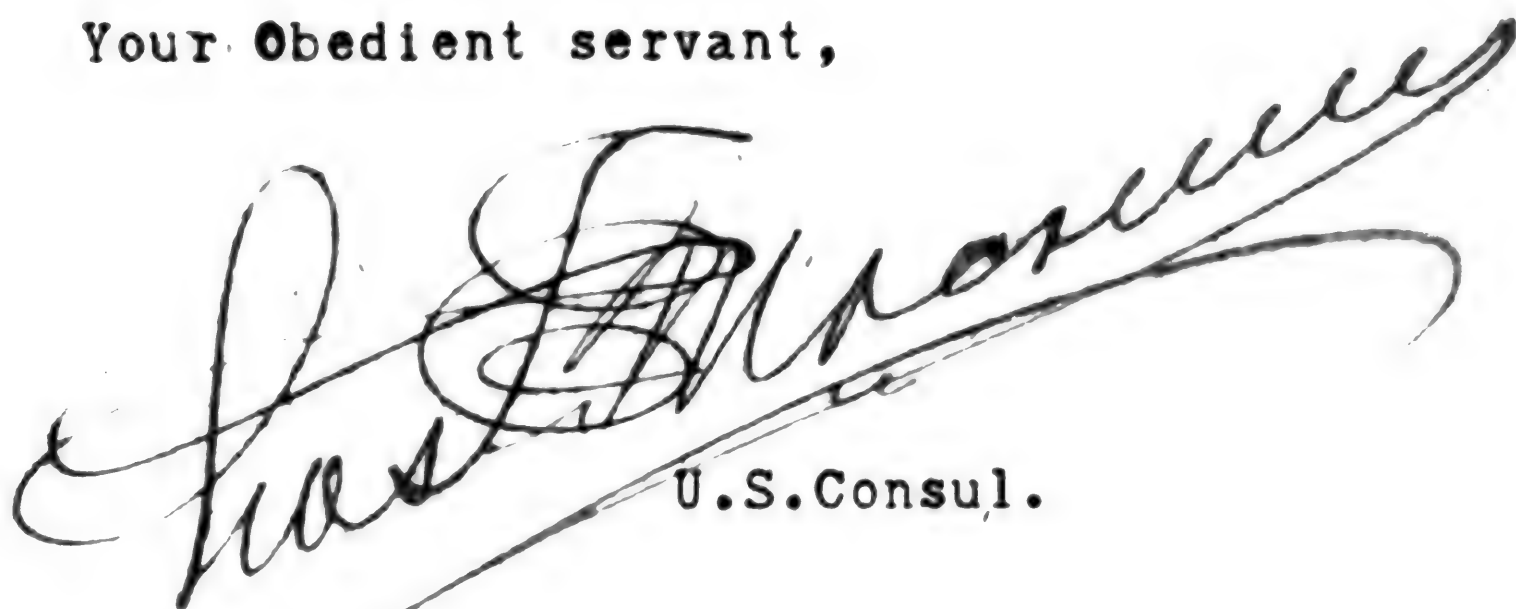
I have the honor to inform you that J.C. Manion, Consular Agent at Johannesburg, has applied for leave of absence from October 12th until about the first of November, in order to meet Mrs. Manion at Cape Town on her arrival from America, which application I have granted as provided by Regulations.

Mr. Manion has named to have charge of the Agency, Mr. A. J. Yeoman, a copy of whose signature I enclose.

I have the honor to be

Sir,

Your Obedient servant,

A large, stylized handwritten signature in dark ink, likely belonging to J. C. Manion, the Consular Agent mentioned in the letter. The signature is written in a cursive style with a prominent flourish at the end.

U.S. Consul.

Enclosure:

Copy of A. J. Yeoman's signature.



THE OFFICE OF THE  
U.S. CONSULAR AGENCY.-

JOHANNESBURG.

Oct 8th. 1898.-

Signature of A.J. Yeoman.-

*A. J. Yeoman.*

*J. O'Hanlon*

U.S. Consular Agent.-



Oct. 28th. 1936.

CONFIDENTIAL

U.S. CONSULAR AGENCY.  
THE OFFICE OF THE

Signature of J. J. Thompson

*J. J. Thompson*

*Thompson*

U.S. CONSULAR AGENCY

See column  
with reported \$5  
Victoria H.A.R.  
Herald Museum  
H.S. Conch

No. 6.

Consular Bureau

Consulate of the United States,

Pretoria, S.A.R., October 15th, 1898.

Mr. Macrum,

To the Department of State.

Subject:

Subscription to Directory and Newspaper.

Abstract of Contents.

Request for authority to purchase Business Directory.-- Ditto  
to subscribe to newspaper.

NOV 14 1898  
Expenses au-  
thorized. May be  
charged for in his  
account.  
C. L.

Ans  
Nov 17  
1898



No. 6.

*Consulate of the United States,*

Pretoria, S.A.R., October 15th, 1898.

*Honorable John B. Moore,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honor to request authority to purchase for the use of this Consulate, a copy of the Directory of the Business houses in the S.A.R., at a cost of one pound (~~84~~1.87) or less. I assure you that such a volume is, I find, an absolute necessity, in view of the numerous inquiries which come in.

I have also to request authority to subscribe to the Johannesburg "Daily Standard and Diggers News" for one year, this being the leading paper published here, the subscription price of which is three pounds ten shillings (~~8~~17.03) per annum, a price, which, while it looks large, is commensurate with the prices of all the other necessities of life in this rather expensive country.

I have the honor to be

Sir,

Your obedient servant,

  
U. S. Consul.





N. 7.

*Consulate of the United States,*

Pretoria, S.A.R., October 20th, 1898.



*Mr. Macrum,*

*To the Department of State.*

*Subject:*

Correction of Newspaper item.

*Abstract of Contents.*

Enclose Newspaper clipping which is an error, also copy of my letter correcting same.

*Relay File*

*Check  
by bond  
Nov 30  
1898*



No. 7.

*Consulate of the United States,*

Pretoria, S.A.R., October 20th, 1898.

*Honorable* John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

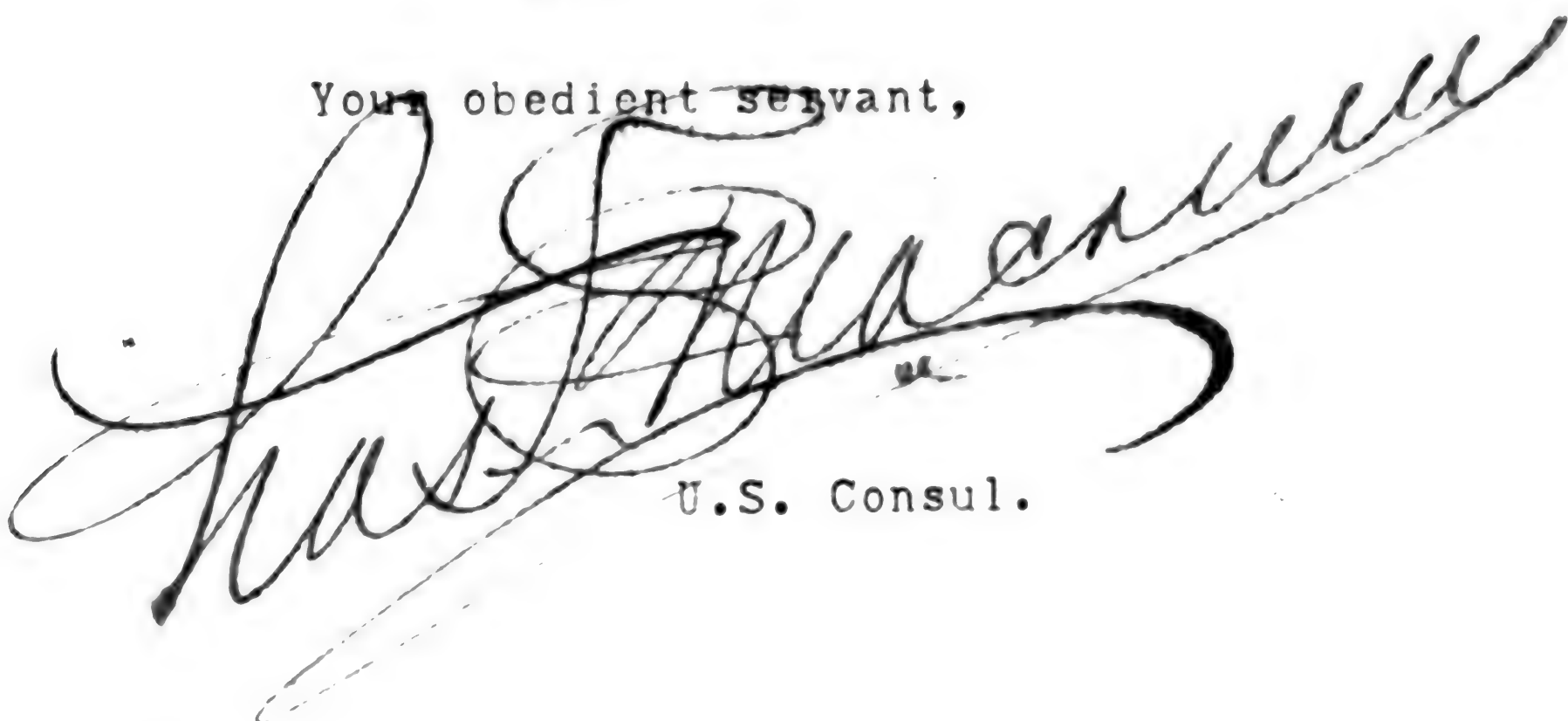
I have the honor to enclose herewith a clipping from the Johannesburg Standard and Diggers News, which appeared in today's issue, and which is altogether an error, as you will see by a carbon copy of my letter to the said paper, which I also enclose.

I thought it proper to make this denial, inasmuch as there was no truth in the item, and at any rate I did not care to have my name connected with the matter.

I have the honor to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, likely of the U.S. Consul, written over the typed name and title.

U.S. Consul.

Enclosures:

1 Newspaper clipping,

2 Copy of letter correcting same.





Clipping from the Johannesburg  
"Standard & Diggers News"  
of Oct. 20th, 1898.

## Pretoria Day by Day.

### Men and Things.

#### Official and Otherwise.

Pretoria, October 19th (Special).—The other day a flattering recognition of the President's efforts in the cause of Republicanism was exhibited when several American residents in the Transvaal, headed by the American Consul, proceeded to Pretoria and presented His Honour with a well-cut and shapely American eagle in gold. The gift was much appreciated, not, of course, for its value, which must be considerable, but because of the good and fraternal feeling which it represents.

RECEIVED  
OCT 20 1898  
J. A. 2

*my*

*Enclosure #1*  
*With Dispatch*  
*No 7*

U. S. CONSULATE,  
Pretoria, S. A. R.

Clipping from the Johannesburg  
"Standard & Diapers News"  
of Oct. 20th, 1898.

s, unaltered, or  
Chiffons, Ru  
ses, Children's  
Inderwear.

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THE  
Standard & Diapers News  
AUTHORIZED  
GOVERNMENT GAZETTE

PRETORIA, S.A.R., October 20th, 1898.

Editor Standard and Diggers News,

Johannesburg.

Sir:

I beg to call your attention to an item which appears in today's issue of your valuable paper, referring to the presentation of an American Eagle in gold to His Honor President Kruger, by a number of American residents of the Transvaal, in which you say the delegation was "headed by the American Consul". On the day the presentation took place I was confined to my home with a slight indisposition and of course could not be present, and I am informed that neither was Mr. Manion, our Consular Agent at Johannesburg, present.

I have the honor to be, Sir,

Yours faithfully,

United States Consul.

*Enclosure #2  
with Report #17*

Sir:

I beg to call your attention to an item which appears in today's issue of your valuable paper, relating to the presentation of an American Estate in the name of the late Mr. [Name] by a number of American residents of the [Location]. In which you say the delegation is headed by the American Consul. On the [Date] I was informed that I was consulted in connection with the [Matter] of course I am not in a position to say whether or not the [Matter] is being handled by the American Consul. I have the honor to be, Sir,

Yours faithfully,

United States Consul.

Editor Standard and Digest News,

Johannesburg.

PRETORIA, S.A.B., October 20th, 1898.



Copy No. 8.  
N.

*Chas. B. B. B.*

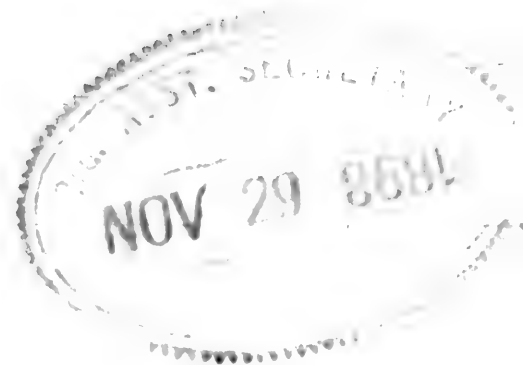
*Consulate of the United States,*

Pretoria, S.A.R., October 25th, 1898.



*Mr. Macrum,*

*To the Department of State.*



*Subject:*

Action on Petition of Americans interested in Electric Tram.

*Abstract of Contents.*

Receive petition from Americans.-- Send communication to  
State Secretary, S.A.R.-- Government reserves sole right to  
grant franchises.-- Proffer my good offices.-- Precedent  
quoted.-- Courts without power.-- Quotations from Laws.

No. 8.

*Consulate of the United States,*

Pretoria, S.A.R., October 25th, 1898

*Honorable* John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honor to inform you that on the 17th inst.

I received the enclosed petition, and on the 19th I sent a communication to the Secretary of State of the South African Republic, copy of which I also enclose.

The circumstances here are peculiar. The Government reserves the sole right to grant franchises, and it is therefore necessary to go direct to the Government for relief, under the present circumstances.

While I am aware that I am not invested with any diplomatic functions, at the same time I am the only representative our Government has in this country, and in view of the fact this refusal or failure to confirm the contract in question has occasioned quite a great deal of financial distress, I was convinced that it was my duty to offer my good offices in the matter, for which there seems to be abundant precedent, (see Wharton's Int. Law Digest, vol. II, pp 655 to 660 - 664 - 665. )

(In

In almost any other country the courts would be open for the adjustment of this contract, but in this the courts are entirely subservient to the Executive and Legislative branches of the Government.

This position has been taken by the legislature (Volksraad) in Law No.1 of 1897, supported by the First Volksraad, or highest branch of the legislature, in Resolution No.451, passed February 26th, 1897.

I have before me the said Law, from which I quote:  
"Every Court shall accept all Volksraad resolutions  
as law - not criticise same, and what has once been  
accepted by Volksraad can never be considered by Court!"  
(literal translation.) Again: "The testing right is not  
with the Judicial power!" (literal translation.)

For the reasons above set forth I sincerely hope  
your decision will support the steps taken.

I have the honour to be,

Sir,

Your obedient servant,

U.S. Consul.

Enclosures:

- 1 Petition from Americans in re Electric Tramway.
- 2 Copy of my letter to State Secretary, S.A.R.

Johannesburg, OCT 17 1898

Chas. E. Macrum Esq.,

Consul of the U. S. A.

P r e t o r i a,

Z. A. R.

Dear Sir:-

We, the undersigned, all American Citizens, who hold the controlling interest in the Company formed under a Contract, made and executed by the Government of the South African Republic, respectfully request you to use your good offices, and those of our own country, ( not officially, but in a friendly way,) to assist us in securing our just rights.

The said Contract grants the right of running, after construction, an Electric Tramway in and around Johannesburg. As the Executive Council and Government had full power under the law, to make and execute a Contract involving the use of electric power for driving cars on a Tramway, we invested our honest money, and secured the <sup>controlling</sup> ~~contracting~~ interest in the enterprise. The Contract was made and executed under the law of 1890, which gave to the Executive Council and Government, full power to act. All the stipulations of the Contract were literally complied with, the most important of which, was the submission of the necessary plans, for approval by the Government. These plans were submitted within the stipulated time, and we enclose Government's receipt for same. Certain antagonistic influences were brought upon the Government, to delay the approval, or disapproval of the plans, and in consequence, the Government has failed to act. The following are the facts of the case:-

On November 4th 1893, the Government made and executed a Contract, under the law of 1890, with Messrs. Keller De Beer, Botha, and Lombard as principals, to construct and run an Electric Tramway in Johannesburg. A Company was



formed to construct and run a Tramway under this Contract, and the undersigned American Citizens bought out the controlling interest in the Company so formed. In December 1896, the Raad passed a resolution depriving the Executive Council and Government of the power in full to grant tramway rights, involving the use of electric, or steam power, but this resolution, bearing date of December 1896, was passed a month after the Contract was made and executed by the Executive Council, and Government, and therefore takes the position of an Ex post facto law. We mention this fact, because our antagonists used this law as a power to delay the approval of the Company's plans by the Government. Our plans were submitted within the specified time of four months, and our deposit of Five thousand pounds Sterling was deposited to the credit of the Government- as a guarantee- within the specified time.

Now, more than eighteen months have elapsed since the date of the Government's receipt for our plans, and as a result, we are, (financially speaking) sorely distressed, because the Government's failure to act on the plans, has forbidden all work. Now we, the principal owners under the Contract, having suffered severely on account of the Government's long delay to act, appeal to you for relief, in the hope that you may use your good offices, and nothing more.

We believe that if you will put the facts as contained in this <sup>petition</sup> ~~position~~, to the Executive Council, and Government, in a friendly way, and ask them to do you and your undersigned fellow-countrymen a favor by acting upon the plans, there will be no doubt as to the result, and justice will be done to many honest sufferers.

In this belief, we now respectfully pray you to lend us your friendly assistance, and duly sign our names as honest and interested Citizens of your country:-





F. S. Hawley Syracuse N. Y.

H. S. Lewis

" " "

Enoch Kempton. Boulder, Colorado U. S. A.

D. B. Chickster - - California

J. B. Pitchford San Francisco. Calif.

James Bain San Francisco Calif.

Harry James Columbus, Ohio

G. H. Clapp Boston, Mass.

Ellis Henry - California D. F.

J. H. Mann Grand Rapids Mich.

*Enclosure*  
*No. 1 -*  
*with Disposition*  
*No. 8*

U. S. CONSULATE,  
Pretoria, S. A. R.

October 19th, 1896.

Most Honorable Sir:

I have the honor to state that I have been petitioned by the American citizens interested in the Electric Tramway contract, made by and between the honorable Government of the South African Republic on the one part and Messrs. Keller, De Beer and others on the other part, said Americans having largely the controlling interests in the contract,<sup>x</sup> to use my good offices and those of the United States Government in the amicable adjustment of the said contract with your Honorable Government, and it is with this in view that I take occasion to address you, Honorable Sir, and through you your Honorable Government with a request for a speedy approval of the plans submitted or for an indication of the plans which would be approved if those already submitted are not in accord with the views of your Honorable Government.

The facts in the case are these: Under the law of 1890 your Honorable Executive Council and Government, by virtue of the power invested in them, made and duly executed a contract with Messrs. Lombard, De Beer, Botha and Keller as principals, for an Electric Tramway in Johannesburg. By the terms of the contract the necessary plans were duly submitted to the Government within the specified time as shown by the Government's receipt for same. By the terms of the contract also, five thousand pounds sterling was deposited to the credit of the Government in the National Bank within the specified time and still remains to its credit.

The contract as signed and executed by the Government bears date of November 4th, 1896. In December 1896 the Volksraad passed a resolution depriving the Executive Council and Government of the full power to grant tramway rights involving

October 19th, 1898.

Most Honorable Sir:

I have the honor to state that I have been petitioned  
the Tmerican citizens interested

---



the use of electric or steam power. This resolution, which was passed a month after aforesaid contract was duly made and executed by your Honorable Government, is, as far as this contract is concerned, an ex post facto law and can, therefore, in no sense apply; it being patent, no doubt, to you, Honorable Sir, that in no country is an ex post facto law recognised as operative, for the recognition of such a law means the destruction of the very fundamental principals of a Government.

The plans being duly submitted to your Honorable Government, it failed to act upon them ~~for a considerable~~ time, and, under friendly advice to the effect that hte Government might consider ratification by the Raad necessary, the parties interested put the case before the Raad in July 1897. In that body the ratification of the contract met a determined opposition for the following reasons: One member arose and said that the contract was not a provisional one but a final one and that therefore ratification was not necessary. Another member said that it was not a matter that concerned the Raad at all, because the law gave the Executive Council and Government full power to act and the Government had acted within the power granted by the law. Still another member said that it would be a reflection upon the Government if the Raad should ratify and he therefore opposed such action. Many others so expressed themselves, and, rightly enough, the Raad refused to ratify, but only by a vote of 12 to 11. (See Staats-Courant for dates named)

This failure of the Government to act has operated very severely upon those interested, principal among which are my fellow citizens. These people having absolute faith in, and recognising the full power of the Government, invested, unhesitatingly, their honest money, solely on the fact that the contract had been made and executed by a power fully competent, and, by so doing, have been sorely distressed because of the

long delay of the Government to act on the plans, which has forbidden all work.

On behalf of my fellow countrymen, therefore, I now appeal to your Honorable Government for relief, and pray that your Honorable Government will exercise its full power under the law and see that justice is done to many honest sufferers by approving and returning the plans submitted.

Finally, my countrymen interested have that faith in the integrity of your Honorable Executive Council and Government that they do not wish or ask for the ratification of the contract by the Raad, but only the approval of the plans by the Government.

And now, Honorable Sir, I trust that you will present this matter to your Honorable Government, and I have every reason to believe that those I represent in this case will be dealt with in that spirit of absolute justice which has so characterized this Administration of the Government of the South African Republic.

I have the distinguished honor to be

Honorable Sir,

Your most obedient servant,

United States Consul.

The Honorable F. H. Reitz,

Secretary of State of the South African Republic,

PRETORIA.

at 10<sup>00</sup> am  
with blackboard  
No 8.

U. S. CONSULATE,  
Pretoria, S. A. R.

Copy No. 9.



*Consulate of the United States,*

Pretoria, S.A.R.,      October 29th, , 1898.

*Mr. Macrum,*

*To the Department of State.*

*Ackby from Nov. 30*

*Subject:*

Record Books kept in this Consulate.

*Abstract of Contents.*

Actual condition of all Record Books kept in this Consulate in  
response to Department's circular of September 20th, 1898.

No. 9.

*Consulate of the United States,*

Pretoria, S.A.R., October 29th, 1898.

*Honorable* John E. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

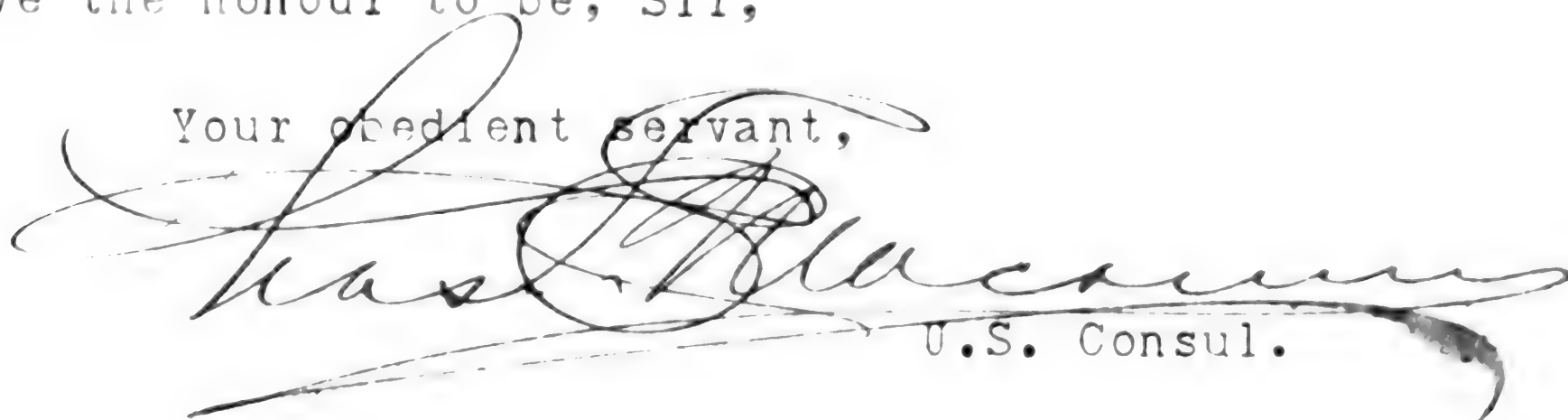
*Sir:*

In response to your circular of September 20th, on the subject of "Record Books at Consulates" I have the honour to report the books used in this consulate, with the actual present condition of each, as follows:

1. Dispatch Book:- Up to date.
- 2 Letter Copy Book:- Up to date.
- 3 Fee Book:- Up to date.
- 4 Passport Book:- Up to date.
- 5 Invoice Book:- No use for it as yet.
- 6 Miscellaneous Record Book:- Have found no use for it so far.
- 7 Register of Official Letters received:- Up to date.
- 8 Register of Official Letters sent:- Up to date.
- 9 Account Book:- Up to date.
- 10 Press Copy Book for Dispatches, etc:- Up to date.

I have the honour to be, Sir,

Your obedient servant,

  
U.S. Consul.



No. 10.

*Shelton*

*Chas. R. R. R.*

Consulate of the United States,

Pretoria, S.A.R., November 5th, 1898.



Mr. Macrum,

To the Department of State.



Subject:

Compulsary Military Service of Aliens.

*Ans*  
*Dec 14*  
*1898*

*Abstract of Contents.*

In prosecuting war the S.A.R. Government resorts to drafting.--  
Assessments made on persons exempt from the draft.-- British  
subjects exempt.-- Many inquiries received from American res-  
idents.-- Visit the State Secretary.-- He states that only  
burghers are being drafted.-- Newspaper clipping enclosed.--  
Request directions.--

DEC 12 1898

Dear Mr. Cridler:

There has been no attempt to draft Americans as yet. I suggest that the Council be asked to send the Dept. a copy of the law under which aliens are drafted. From an examination of the question which I made last year I should say that much would depend upon the character of the military organization into which foreigners are drafted, and the duties which such

organization is required  
to perform.

My opinion as to the result  
of the examination which I made  
was that according to the  
preponderance of opinion, a  
government may require  
aliens resident within its  
territory to perform service in  
a local force raised for the  
maintenance of internal order  
or the defense of such ter-  
ritory from an invasion by  
savages or an uncivilized  
nation, but that they cannot  
be forcibly enrolled in the  
regular army of the country  
or in any force organized

to defend it against a  
civilized power.

Upon receipt of the law  
in question, and the  
information as to the charac-  
ter of the military body into  
which persons are drafted,  
& the duties required to be  
performed, the Dept. can  
definitely instruct the Consul.

We have treaties with some <sup>countries</sup>  
specifically exempting citizens  
from all compulsory military  
service whatsoever. We have  
no ~~such~~ treaty with the  
S. A. R. so far as I know.

My understanding is that  
our Consul is accredited to  
the S. A. R. It is said in

the Statemen's Year Book  
that Gt. Brit has a  
supremacy over the Republic  
involving control of its  
foreign relations only -

F.V.



No. 10.

*Consulate of the United States,*

Pretoria, S.A.R., November 5th, 1898.

*Honorable John B. Moore,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to present to your notice that in prosecuting the war against the natives in the Northern part of State the Government resorts to the system known here as "Com-mandeering" or, as we have it, drafting, with the provision that persons exempt from personal service may be assessed to a certain amount in cash or "in kind." By virtue of a certain treaty with Great Britain it appears that Her Majesty's subjects are exempt from personal service, and, the British Diplomatic Agent informs me, from cash or other assessment as well. We have no such treaty and this is the occasion of many inquiries which reach me from American citizens residing here as to their liability to service.

A few days since I called on the State Secretary and asked if the Government intended commandeering aliens. He replied that they "were not commandeering any but burghers." It was obvious that he did not care to say what would be done if things got too warm for the burgher force available.

(2)

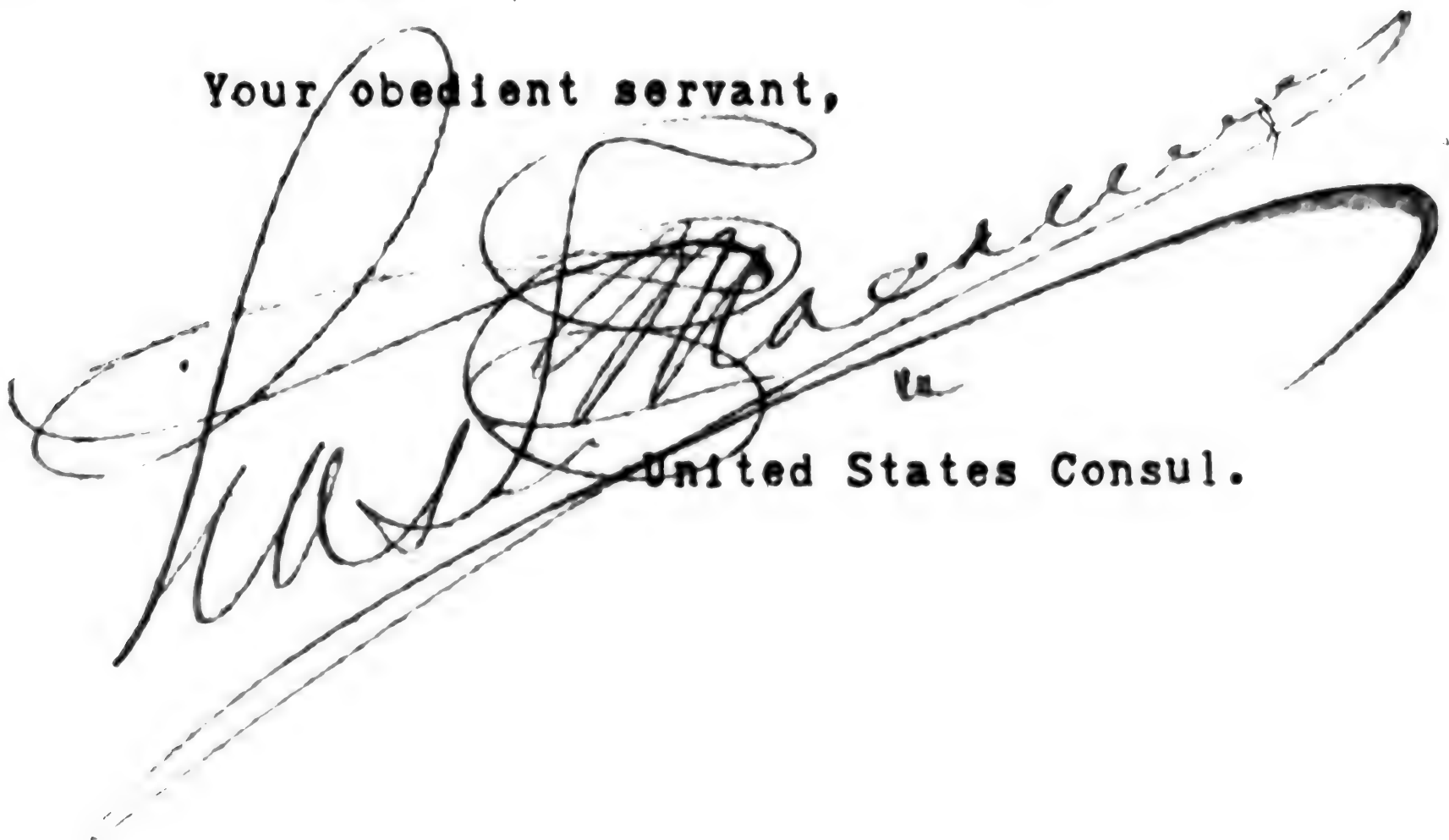
I append a clipping from one of the Gov't organs  
on the subject.

May I suggest that you outline the course you  
desire me to take in the event of our citizens being  
"commandeered."

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosure:

/ Newspaper Clipping.

# The First Raad.

## Military Law.

### British Subjects and Commandeering.

### Britishers' Privileges.

### An Emphatic Protest.

### The State Attorney Explains.

PRETORIA, November 1st (Special).—In the First Raad to-day the Military Law was proceeded with.

The forty-second Article provided that persons exempt from personal service would have to contribute in kind or cash to a value not exceeding £15. The senior member for Pretoria, Mr A D Wolmarans, expressed his astonishment that British subjects refusing to go to the front, were not commandeered for goods instead. He had heard that Cape boys declined service, but that did not remove liability to supply goods. At the same time he believed that it was a paltry treaty with England by which British subjects were exempt from service, and he would warn the Raad to be careful in confirming these treaties, protocols and the like. It was a suicidal policy to be always granting privileges to Great Britain, and would result in the Republic being caught in the noose. In his opinion, a Britisher was liable to bear a share of the expense of war, if not for actual service.

Mr Loveday suggested that a Commission, consisting of the Commandant, the Field-cornet and the Landdrost, should be entrusted with the duty of commandeering. It should not be left in the hands of one man, as provided by the present law. As regards contributions, he thought a war tax would overcome the difficulty. The tax could be applied to one and all.

The members for Wolmaransstad and Krugersdorp objected, as the people had not agreed to the principle of such a tax, which would have to come before the nation first of all. The member for Krugersdorp further opined that it was most unjust that the subjects of a foreign Power should be free from any military responsibility. Why should burghers do all the fighting to defend the State and bear the expenses as well?

In reply to a question as to whether the subjects of Great Britain were liable to be commandeered, the State Attorney said that the law distinctly provided that they were free from personal service, but nevertheless were liable to contribute in kind, if called upon to do so. Thus aliens and burghers were equally subject to the clause. Article 44, further on, made this amply clear, for there it was clearly specified that the inhabitants of the State who were protected from military service by treaty would be liable to bear an equal share with the burghers in the expense of the war. As regards British subjects it must be borne in mind that the nation having the most privilege was styled the "most favoured nation," which in this State was the Portuguese. By treaty with Portugal the subjects of that kingdom were free from military service, but this did not protect even the Portuguese from the common law of the land, but all must contribute to bearing the expense of war. If the Portuguese were not exempt then it was obvious that the Britishers also were not exempt. He thought that the clause before the House was not in conflict with the existing Anglo-S.A.R. treaties.

It was decided to accept the clause, with the rider that schoolboys and students be exempt from service.

The next clause provided that every individual be liable to service in the event of Martial Law being proclaimed. This, with Art 44, that non-burghers be liable to contribute in kind was passed without comment.

The following clauses, specifying the constitution of war councils and courts, were passed.

A motion by Mr Toes, desiring to amend the clause specifying the treatment to be accorded to raiders was lost, Art 50 being under consideration when the House rose.

*Mr. Beckwith*  
*No 10*

**U. S. CONSULATE,**  
Pretoria. S A R

*Helictes*

20	Feb.	18
25	Apr.	10
41	Aug.	18
42	"	23
44	"	23
44	"	25
46	Sept.	2
50	"	11
51	"	15





No. 11.

*Consulate of the United States,*

Pretoria, S.A.R., November 10th, 1898.

*Honorable John B. Moore,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to inform you that twice within the last week the Foreign Secretary has suggested that a reciprocal treaty between the United States and the South African Republic would find much favor with his Government, and I have promised him that I would communicate his wishes to, and if possible obtain the views of my Government in the matter.

My personal opinion, if it is of any value, is that we have everything to gain and nothing whatever to lose in promulgating such a convention, in the way of favorable import duties, extradition of criminals, exemption from enforced military service, consular privileges, etc., etc.

I have no doubt that points may be embraced in such a convention that would put our citizens residing here in a feeling of greater security and would very much enhance our trade with this rich and growing little country.

I am well aware that this matter is without the bounds of consular duties and practice; but I have no choice

(but



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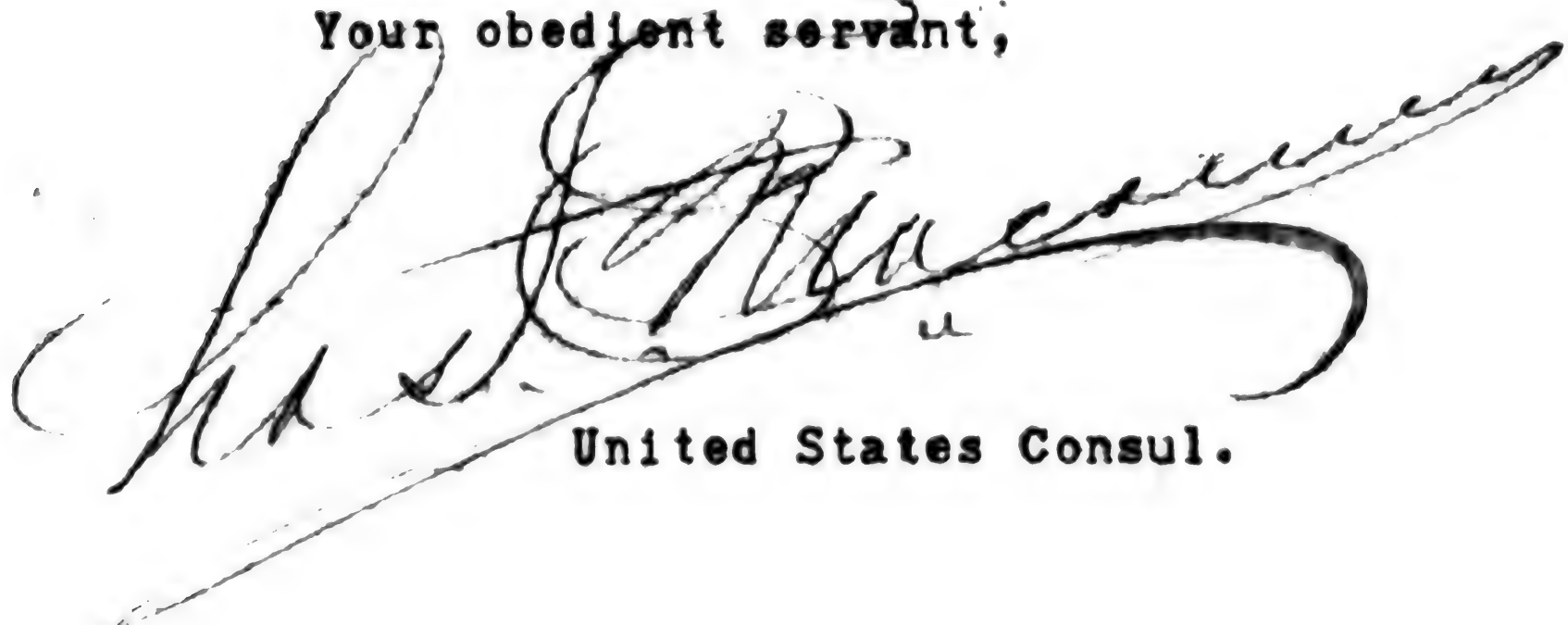
but to submit it for your investigation, and should the question of treaty be favorably received with my Government it would be a great privilege for me to meet the Transvaal Government strictly within the lines that may be authorized.

If there is no objection to such a procedure, I have the honour to request that your reply be so worded that I may lay it before the Foreign Secretary.

I have the honour to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, likely belonging to the United States Consul mentioned in the text below. The signature is written in a cursive style with a prominent flourish at the end.

United States Consul.





12.

*Ans. Releau*

*Consulate of the United States,*

**Pretoria, S.A.R., November 12th , 1898.**



*Mr. Macrum,*

*To the Department of State.*



*Subject:*

**Consular Offices.**

*Approved  
Circular  
Ans. Dec. 16. 98.*

*Abstract of Contents.*

Acknowledge receipt of No. 6.-- Lease involves no responsibility on the Government.-- Former furnishings of the rooms.-- Request authority to make some few further purchases.

*\$300 allowed  
July 2 98*

4

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No. 12.

*Consulate of the United States,*

Pretoria, S.A.R., November 12th, 1898.

*Honorable* John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to acknowledge the receipt of your Dispatch No. 6, under date of Oct. 6th, re Consular Offices.

The term "in his capacity as Consul of the United States of America" contained in the lease is thoroughly understood by the leasor not to involve the United States Government in any responsibility for the rent of the premises, and I have no doubt that I can have the said term deleted if desirable.

Regarding the furnishment of the offices I would say that one of the rooms had not a thing in it, and the other had but a carpet and two chairs, with no window hangings nor anything of the sort, the owner having been married only a month or two when his wife died, and they were gradually accumulating furniture for the house, none of which has ever been used for office purposes before.

There may be a few things that I shall need as yet and I trust that I shall be authorised to purchase them out

(of



-2-

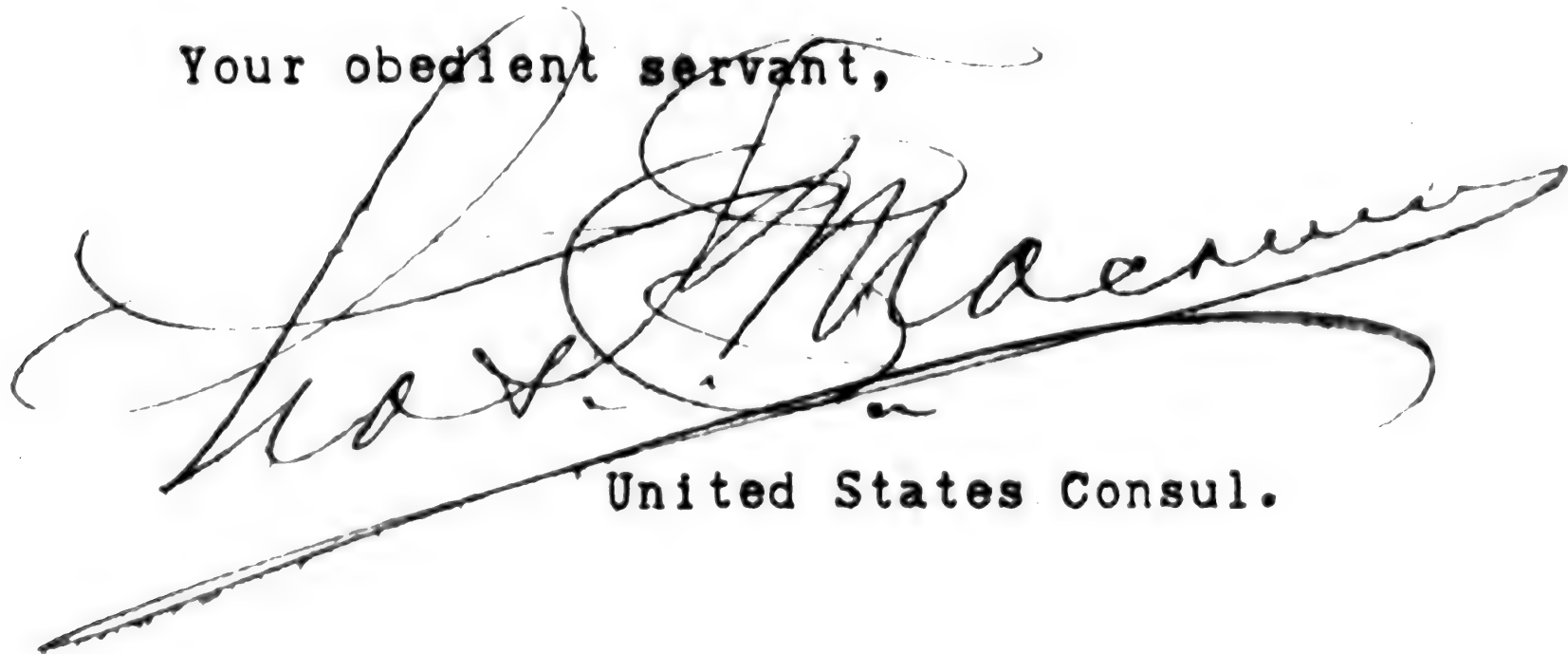
of the remainder of the amount allowed me.

I shall, however, await your reply before making any further purchases.

I have the honour to be,

Sir,

Your obedient servant,

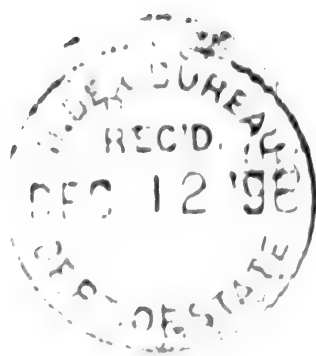
A large, stylized handwritten signature in dark ink, appearing to read 'H. S. Maerum'. The signature is written over the typed name and title.

United States Consul.





My. No. 13.



*Consulate of the United States.*

**Pretoria, S.A.R., November 12th, 1898.**

*Mr. Macrum,*

*To the Department of State.*

*Subject:*

**Whereabouts of Robert C. McKee.**

*Abstract of Contents.*

**Acknowledge receipt of No. 7.3- Inquired of R.H.Creech.--**

**Will apply to the police if necessary.**

*File*



*Consulate of the United States,*

Pretoria, S.A.R., November 12th, 1898.

*Honorable John B. Moore,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to acknowledge the receipt of your No. 7 of October 11th, 1898, requesting information as to the whereabouts of Robert G. McKee, formerly of Buffalo, N.Y.

I have to say that I happen to know personally Mr. R. H. Creech who is spoken of in connection with the matter and who is now, I believe, in Johannesburg, and I have written to him asking him if he knows anything of Mr. McKee.

In case Mr. Creech knows nothing of McKee I shall inquire of the police, and if he is in the Transvaal they will find him for me.

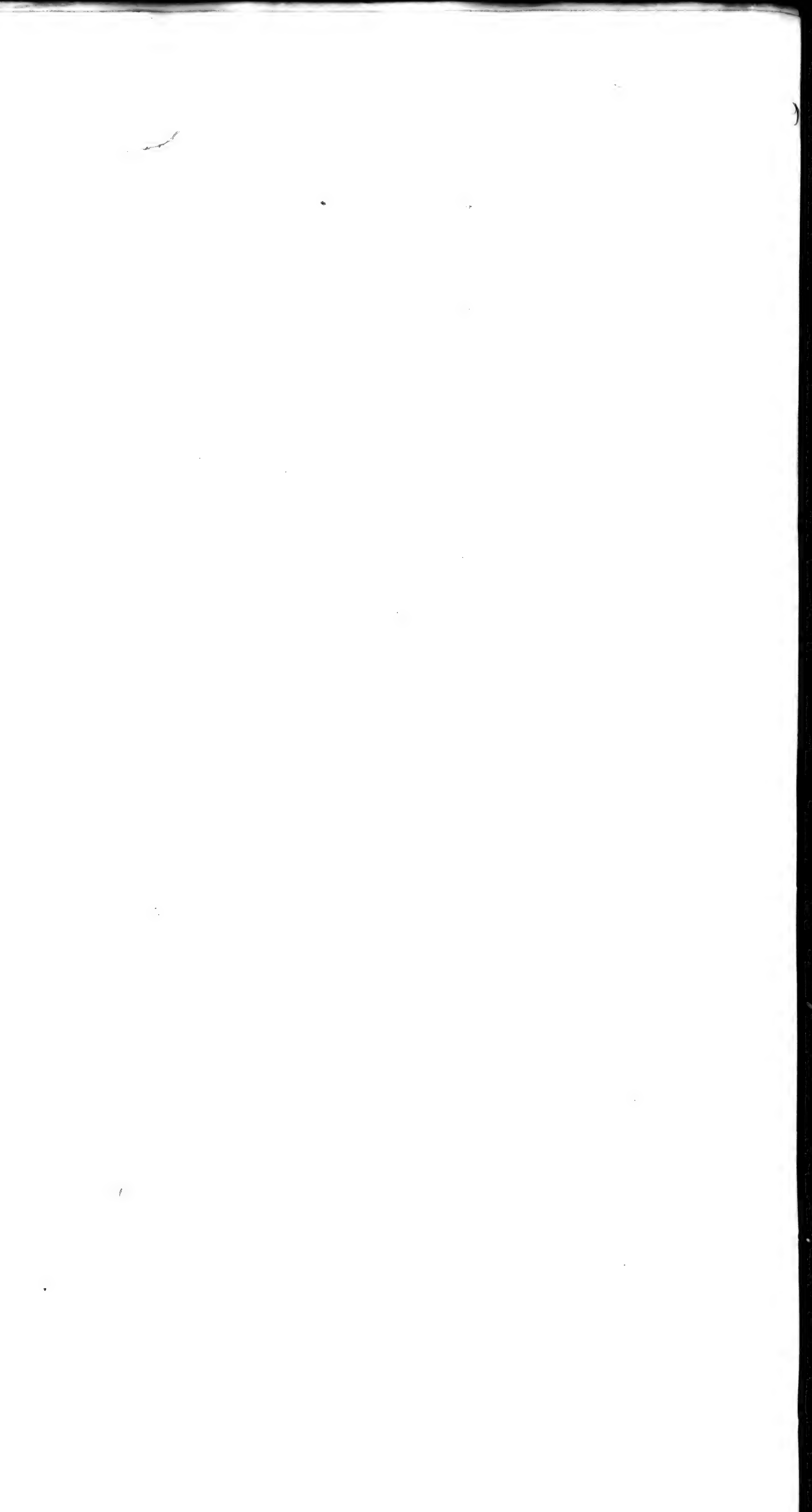
You will be advised promptly of any information I receive.

I have the honour to be,

Sir,

Your obedient servant,

United States Consul.





*Ans Bureau*

No. 14.

Consulate of the United States,

Pretoria, S.A.R., November 12th, 1898.



Mr. Macrum,

To the Department of State.

*U.C. Dec. 16/98.  
Appr. in app. Bureau  
Ackd. & bond sent  
Dec. 27. 1898  
Saw new form bond  
Jan. 28/99.*

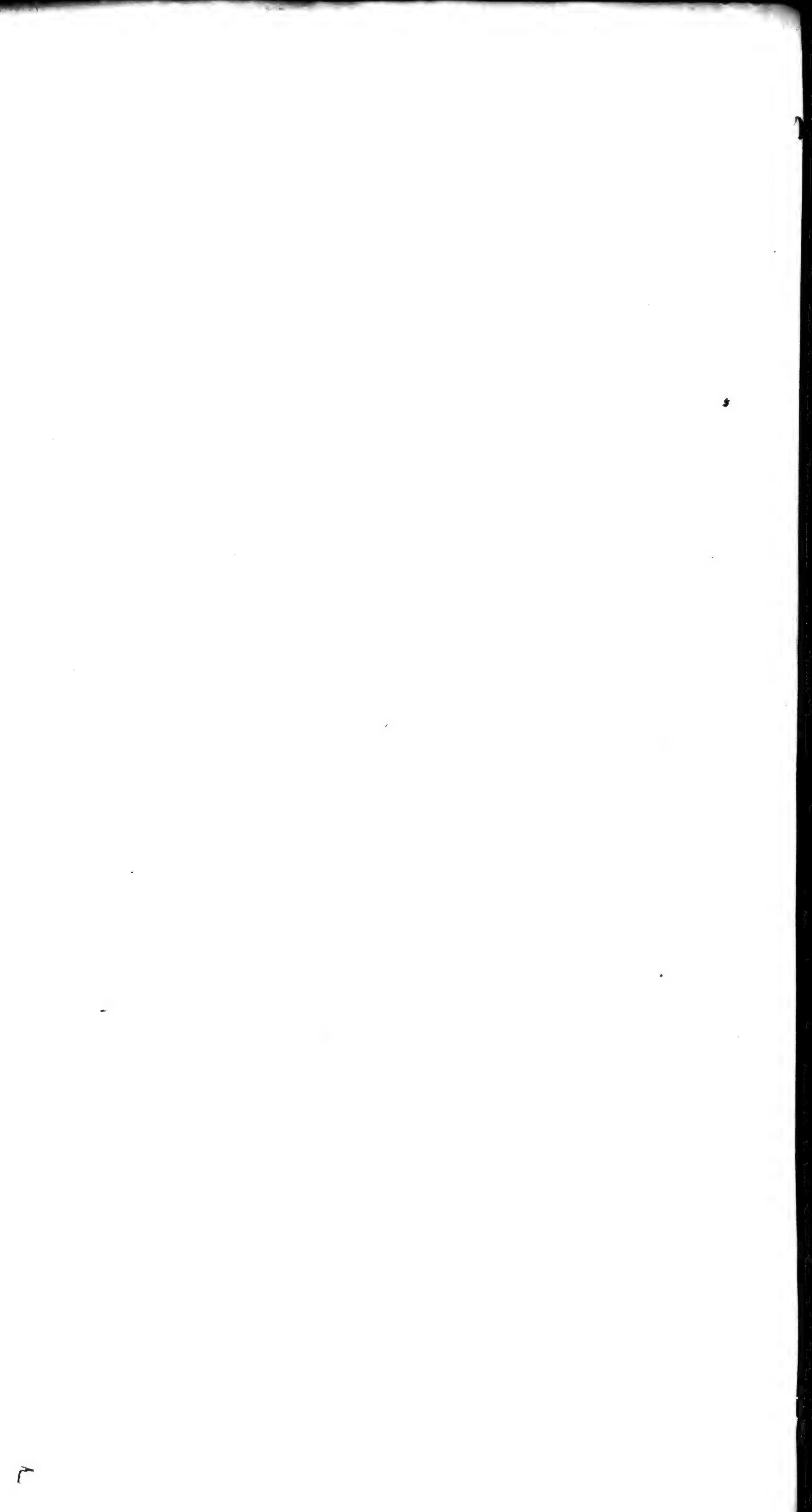
*Approved.  
Ridder*

Subject:

Nomination of Mr. van Ameringen as Vice Consul.

*Abstract of Contents.*

Acknowledge receipt of No.8.-- What his business is.-- Believe him to be perfectly competent.-- Application enclosed.



No. 14.

*Consulate of the United States,*

Preteria, S.A.R., November 12th, 1898.

. 189

Honorable John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

Sir:

I have the honour to acknowledge the receipt of your No. 8 of October 12th, 1898, re the nomination of Mr. E.A. van Ameringen to be Vice Consul at Pretoria. I enclose application.

In reply thereto I have to say that I can see no reason why his connection with two Italian wine houses, one tea, and one manufacturer of margarine, both in Holland would make his appointment as Vice Consul undesirable, these being all the foreign mercantile houses he is in any way connected with, his business being principally Insurance and Real Estate.

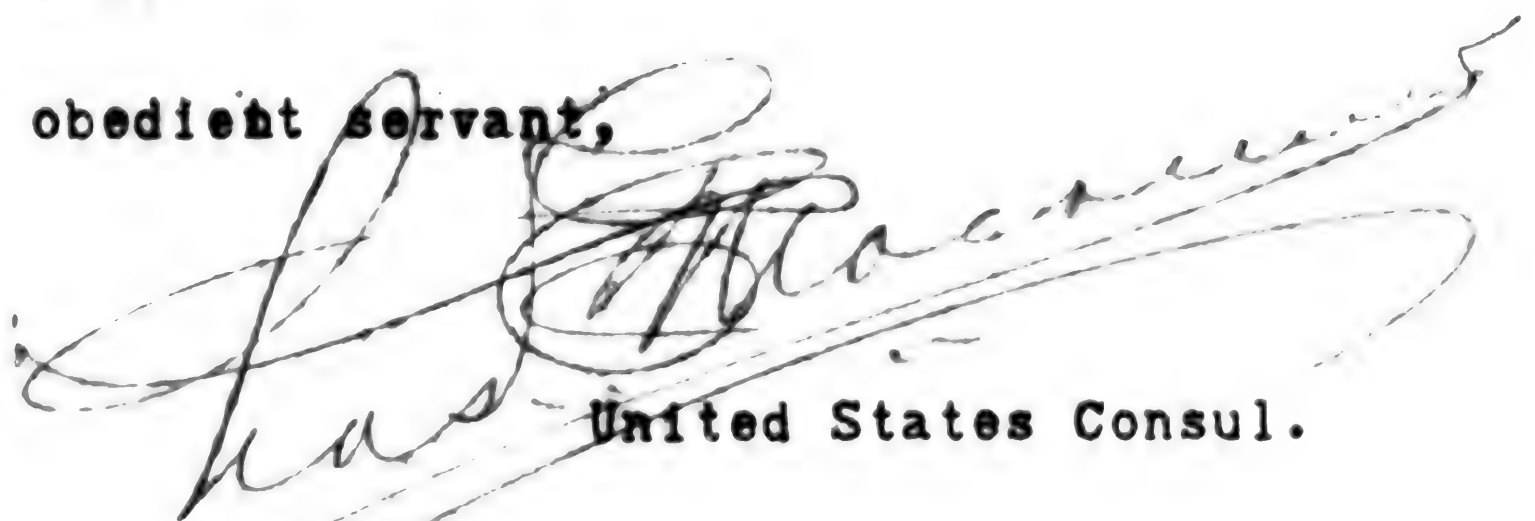
He begs me to state that in the Portuguese and Scandinavian languages he is able only to speak, not read and write.

I may add that he bears a first-class reputation and is popular in all circles here, and is I think perfectly competent.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosure:

Application for office.

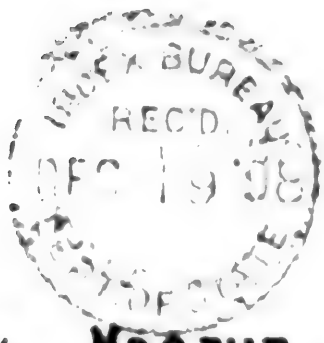


No. 15.

*Ant Bureau*

*Consulate of the United States,*

Pretoria, S.A.R., November 17th,



*Mr.* Macrum,

*To the Department of State.*

*Subject:*

*✓ Act Dec. 27/98*

Meaning of Paragraph 154 of Consular Reg. requested.

*Abstract of Contents.*

Request for information.-- Passport applied for with no evidence but expired prior passport.-- Applicant intends sending direct to America.-- Who should issue this passport?-- Correspondence enclosed.





No. 15.

*Consulate of the United States,*

Pretoria, S.A.R., November 17th 1898

Honorable John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

Sir:

I have the honour to request information as to the exact meaning of paragraph 154 of the Consular Regulations, in which are the words "may be taken within two years from its date as prima facie evidence of the citizenship of the applicant". The case in point is this: On the 5th inst. I received from A.E. Hurford of Middleburg a letter, copy of which with my reply I enclose. As the old passport, issued by the Secretary of State, had expired about a month before I could not, according to the said paragraph (154) issue a new one. Now he writes me that Mr. Galgood's intention to send direct to America (presumably to the Dep't of State for his passport), see copy of last letter which I also enclose with my reply.

May I ask who, under the circumstances, should issue the passport, the Department or myself, and are the words "within two years" to be taken literally?

I have the honour to be, Sir,

Your obedient servant

Enclosures:

Letter 11/2/98, Hurford and reply.

do. 11/14/98

do.

*[Signature]*  
U.S. Consul.



(copy)

Box 257, Middleburg, Z.A.N. Nov. 2nd, 1898.

The American Consul,

Pretoria.

Sir:

I herewith enclose Mr. Isaac Calgood's pas as an American citizen, which you will note expired on the 6th of October last.

Mr. Calgood wishes to know "is it in your power to renew this", if not could you verify it for him, to enable him to forward it to America for renewal. I am Sir,

Yours faithfully,

(signed) A.E. Hurford,

P.S.

Please return pass to me.

(Rec. & Ans. Nov 5 1898.)

(copy)

Box 237, Middleburg, N.A.R. Nov. 2nd, 1898.

The American Consul,

Pretoria.

Sir:

I herewith enclose Mr. Isaac Galgood's pass as an American citizen, which you will note expired on the 6th of October last. Mr. Galgood wishes to know "is it in your power to renew this," if not could you verify it for him, to enable him to forward it to America for renewal. I am Sir,

Yours faithfully,

(signed) A.E. Hurford,

P.S.

Please return pass to me.

(Recd. Ans. Nov 6 1898.)

Pretoria, S.A.R., November 5th, 1898.

A. E. Hurford, Esc.,  
Middleburr, S.A.R.

Dear Sir:

I have yours of the 2nd inst. re Mr. Calgood's passport, and I would say that I can issue the passport but not on the evidence of an expired passport. If Mr. Calgood is a naturalized citizen of the U.S. it will be necessary for him to submit his certificates of naturalization for my inspection and if a native he must have a witness to sign in proof.

If you will advise me on these points I will send the applications for his signature. The fee is 2/6.

I shall await your reply, and remain,

Yours sincerely,



United States Consul.

(Carbon copy)





(copy)

Middleburg, Z.A.R., November 14th, 1898.

The American Consul,

Pretoria,

Sir:

In answer to yours of the 5th inst. re Mr. Calgood's passport. He informs me that he cannot produce his certificates of naturalization as they are in the States. In the event of your not being able to do anything for him, will you please return the expired passport to me. 'Tis Mr. Calgood's intention to send direct to America.

Yours faithfully,

(signed) A.E. Hurford.

(Rec. & Ans. Nov 17 1898.)

(Rec. & Ans. Nov 17 1898.)

(signed) A.E. Hurford.

Yours faithfully,

direct to America.

expired passport to me. 'Tis Mr. Calgood's intention to send not being able to do anything for him, will you please return the of naturalization as they are in the States. In the event of your passport. He informs me that he cannot produce his certificates in answer to yours of the 6th inst. re Mr. Calgood's

Sir:

Protector,

The American Consul,

Middleburg, Z.A.R., November 14th, 1898.

(copy)

Preteris, S.A.P., November 17th, 1818.

A. E. Murford, Esq.,  
Middlebury, S.A.P.

Dear Sir:

In reply to yours of the 14th inst., I herewith enclose  
Mr. Calhoun's passport.

If he has his naturalization papers sent out and then sends  
them to me for examination I will take pleasure in issuing the  
required passport.

Yours very truly,



United States Consul.

(Carbon Copy)



*N.* No. 18.

*Consulate of the United States,*



**Pretoria, S.A.R., November 19th, 1898.**

*Mr. Macrum,*

*To the Department of State.*

*Subject:*

**Whereabouts of ROBERT C. McKEE.**

*To D.S.  
Alexander  
Dec 23  
1898*

*Abstract of Contents.*

**Mr. R. H. Creech left McKee in Umtali, Rhodesia, in May last.-- He is believed to be now in Bulawayo.-- Have written to Umtali and Bulawayo for information.--**





No. 16.

*Consulate of the United States,*

Pretoria, S.A.R., November 19th , 1898.

*Honorable* John B. Moore,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

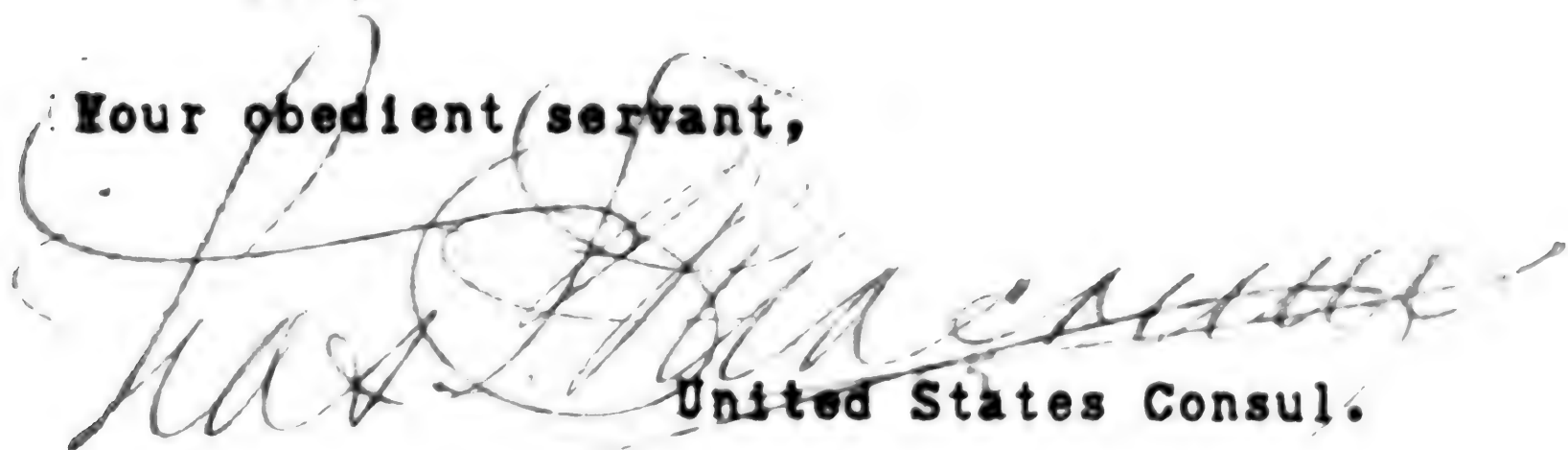
In the matter of the whereabouts of Robert C. McKee, the subject of your dispatch No. 7 of Oct. 11th, 1898, I have the honour to report that I have learned from Mr. R. H. Creech, who was in Pretoria this week, that he left McKee in Umtali, Rhodesia, in May this year, and has not seen him since. He says he has good reason to believe McKee is now in Bulawayo. He has given me the addresses of persons in Umtali and Bulawayo, whom he says would be most likely to know of McKee's present whereabouts, and to whom I have written on the subject.

I shall report immediately upon receipt of replies from these parties, which may not be received for several weeks, owing to the slow mail service between these points and Pretoria,

I have the honour to be,

Sir,

Your obedient servant,

  
United States Consul.



No. 17.

*Consular Bureau*



*Consulate of the United States,*

Pretoria, S.A.R., December 14th, 1898.

*Mr. Macrum,*

*To the Department of State.*

*Subject:*

Whereabouts of ROBERT G. McKEE.

*Abstract of Contents.*

Answering dispatch No. 7 of Oct. 11, 1898.-- Copy of letter from  
Civil Commissioner of Umtali given.-- McKee now undergoing jail  
sentence for theft.

*So arrived interested  
Applicant - J. H. A. J. H.*

*Copy to  
Hon. Sec. S.  
Alexander  
Ackd by  
from  
Jan 24  
1899*



No. 17.

*Consulate of the United States,*

Pretoria, S.A.R., December 14th, 1898.

*Honorable David J. Hill,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

In further response to your dispatch No. 7 of Oct. 11, 1898, in re the whereabouts of Robert G. McKee, I have the honour to inform you that I have received the following letter:

"CIVIL COMMISSIONER'S OFFICE, UMTALI, December 2nd 1898.

"The United States Consul

Pretoria, S.A.R.

"Sir:

"I have the honour to acknowledge the receipt of your letter of the 18th ult. asking for information regarding one Robert G. McKee, and in reply regret to inform you that this man is at present undergoing sentence of three months in Umtali Gaol for theft, his sentence expiring on the 10th of January 1899.

"I have the honour to be, etc.,

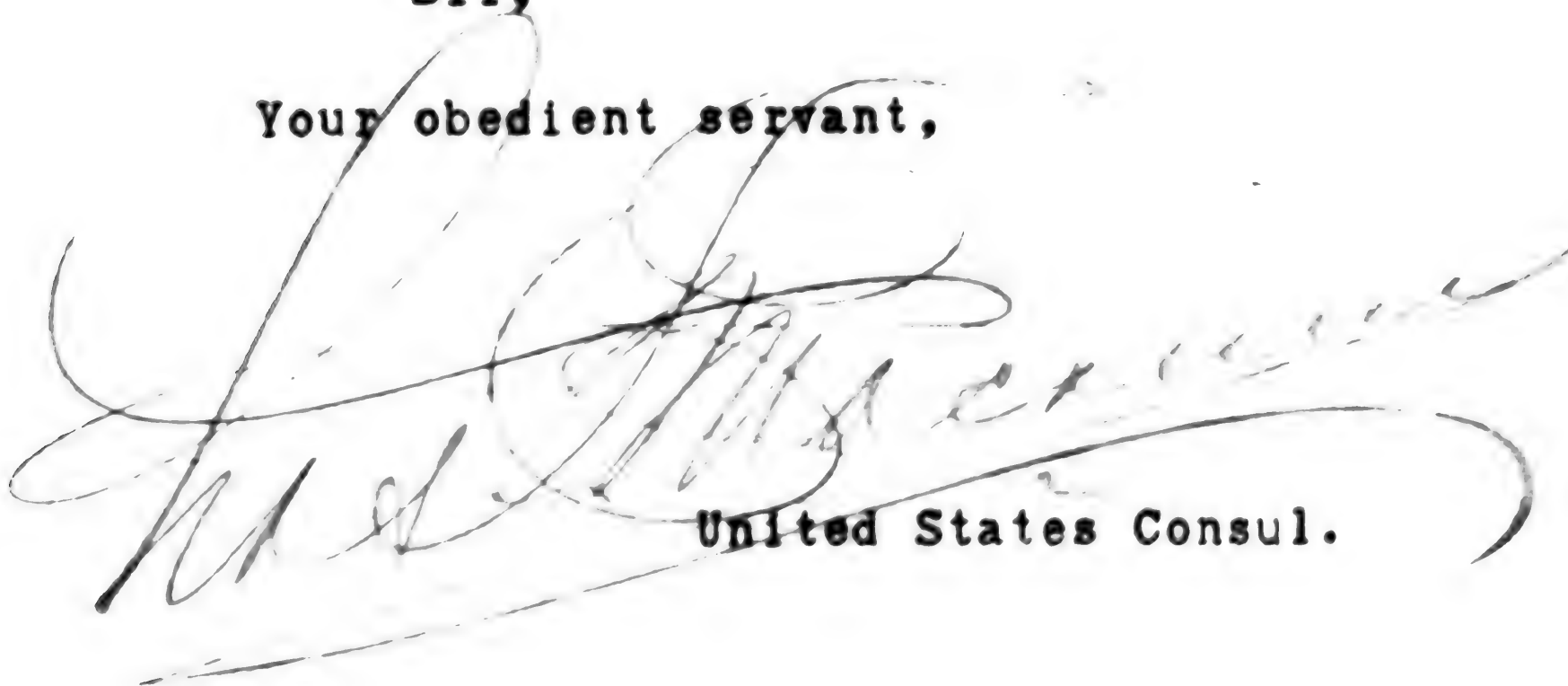
(signed) J. W. Robertson,

for Civil Commissioner."

I have the honour to be,

Sir,

Your obedient servant,

  
United States Consul.





No. 18.

Consulate of the United States,

Pretoria, S.A.R., January 6th, 1899.



Mr. Macrum,

To the Department of State.

Subject:

Complaint of Dr. H.A. Loeser.

Ans  
Feb 18  
1899

Abstract of Contents.

✓ Further Act  
Sept 11/99

Complaint of Dr. Loeser set forth in a letter which I enclose.-

Secretary of State of S.A.R. promises the doctor a hearing be-

fore Executive Council but has not arranged the hearing.- The

Acting Under Secretary informs the doctor that the Government

refuses to take further action.- Qualifications necessary for

the practice of medicine as defined by the States Attorney.-

Request for further instructions.

✓ See letter from  
Reynolds Schroeder  
Sept 11/99



No. 18.

*Consulate of the United States,*

Pretoria, S.A.R., January 6th, 1899.

*Honorable David J. Hill,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to inform you that some time since a Dr. H. A. Loeser, a citizen of the United States, now residing in Johannesburg, S.A.R., called at this Consulate with reference to a complaint he had against the the Government of the S.A.R., and which he sets forth in a letter to me which I have the honor to enclose herewith. This letter recites the circumstances probably better than I could do, and I only desire to advise you of the steps I have taken and ask for instruction as to what to do further in case the Government here refuses to reconsider.

In the first place Dr. Loeser came to see me on Sept. 27th, 1898, and I took him to call on the Secretary of State, Mr. Reitz. The doctor laid the matter fully before the Secretary who promised him that the matter should have a thorough investigation, and also promised him that he should have a hearing before the Executive Council and the President within a few days or a week at the outside. Although ever since that time both the doctor and myself have frequently reminded the Secretary

(of



of the promised hearing, it has done no good, and on Dec. 22, 1898 a letter was received by H.W.J. Blore, who is Dr. Loeser's attorney, from the Acting Under Secretary of State, which letter I enclose with translation, in which they refuse to reconsider. As the Secretary had seen fit to ignore my communications in the matter, but had directed his reply to the doctor's attorney, I felt it necessary to write him as I did on the 4th inst., copy of which letter I herewith enclose.

Early in September of last year I had an inquiry as to the qualifications necessary for the practise of medicine in this country, and directing an inquiry to the Foreign Secretary, I got the following from the States Attorney: "Application to be made to the Board of Examiners and documents lodged to prove that applicant has successfully passed the necessary examination for the State in Switzerland, or that he has obtained a doctors certificate for the State of New York. (This was of course a special inquiry.) Applicant has also to prove that he has been through a compulsory study of four years, which has qualified him to practise medicine, surgery and obstetrics. When admitted to practise, a sworn, certified declaration, confirmed by a Landdrost or Justice of the Peace of this Republic is required and stamps to the amount of twenty-five pounds sterling on

(the





(3)

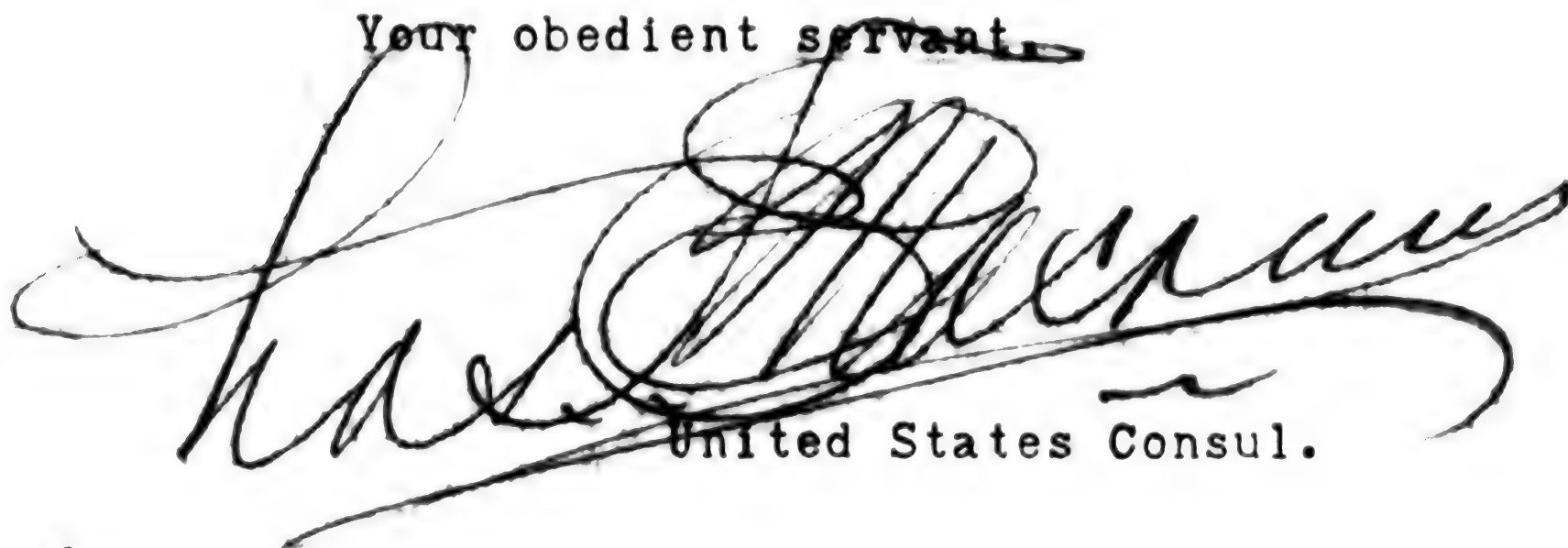
the act of admittance."

I have set forth the facts as fully as possible and now have the honour to request that you indicate what further action, if any, I should take.

I have the honour to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, likely of a United States Consul, written over the typed name and title.

United States Consul.

Enclosures:

1. Letter of Dr. Loeser.
2. Letter of Acting Under State Sec'y to Blore.
3. My letter to Foreign Secretary.

Johannesburg Jan. 6<sup>th</sup> 99  
- Makum Esq.  
U. S. Consul. Pretoria

Re my registration in the  
South African Republic:-

I studied for four and a half  
years at the Universities of  
Berlin (Germany), Bern & Zurich  
(Switzerland), being duly matricu-  
lated as a medical student and  
following the customary curriculum.  
I graduated at Zurich as M.D.  
Then returned to New York and  
passed the State Board Examine-  
tion (1896).

The M.D. degree I obtained at  
Zurich corresponds to an M.D.  
Diploma as granted by the N.Y.  
Medical Schools and was accepted  
as equivalent to such by the N.Y.

State Board of Medical Examiners  
 has is entitling me to enter for the  
 examination I passed, as above  
 stated.

I duly applied to the Medical  
 Council of the South African Republic  
 for my registration certificate here.  
 This for two years has been refused  
 on various pretexts. Originally the  
 Council stated that my British  
 M.D. was not a license to prac-  
 tice but that they would refuse  
to take my New York license into  
consideration (I quote literally).

Then, again, recently they have said  
 that according to their bye-laws,  
 they could not grant a registration  
 certificate, unless I produced a  
 license to practice from the  
 United States, which required a  
 four years course of study.

Although I actually absorbed a  
 four years curriculum but although  
 the law which calls for a four



years course of study for the State  
Board Examination in New York  
has been passed at the time I  
received my N.Y. license, it has not  
yet gone into effect. To my know-  
ledge there existed no licensing exami-  
nation in the United States in 1896 that  
required four years course of study.

This I have pleaded in asking for  
my establishment in this country  
on the same footing with the English,  
German <sup>and</sup> other physicians in practice  
here. I have moreover, explained, that,  
as the Medical Council at Pretoria  
has refused my repeated offers to pass  
an examination before them, on the  
ground that they do not conduct exami-  
nations, — it would be impossible for  
myself or any American physician  
to be registered. I have furthermore,  
called their attention to the fact,  
that they have a few years ago  
registered a Dr. Strong, an American,  
with no better degrees than mine —

(4.)

while they have refused my application and those of other fully qualified American doctors. This they decline to explain.

In asking you to bring this matter to the notice of our government at Washington, I would add, that I had established a large and lucrative practice here in the Transvaal, which I was forced to abandon because of the action of the medical authorities. For months & months the weather has since been driven out but as a result I have been financially ruined. Moreover other American physicians in the same predicament are now trying to earn their living as best they can by other means, instead of being able to follow their legitimate profession, but others have returned to the United States in disgust.

I earnestly trust that our government will extend the same

kind interest to this matter that  
you have manifested and accord  
me the protection I need to obtain  
my rights.

Very respectfully  
Yours

W. L. Brown



in Map 418

U. S. CONSULATE,  
Pretoria, S. A. R.

Government Office

Pretoria 22nd. December 1898

H. W. J. Blore Esq.

P. O. Box 31

J O H A N N E S B U R G.

Dear Sir,

In reply to your favour of the 3rd. October 1898, re the admission of Mr. H. A. Loeser as a doctor, and with reference to the letter from the Secretary of the Board of Examiners of the 26th. October 1898, I have the honour to inform you, that the said Official now reports, that the Chairman of the Medical Board, who advises the Board of Examiners on such cases, is of opinion, that the application of Dr. Loeser has been so thoroughly considered, that it will be impossible to arrive at any other result than that already communicated by the decision of the Board of Examiners, taken on the advice of the Medical Board.

I have the honour to be,

Yours faithfully,

(sgd) J. Losch

Acting Under State Secretary.

8983/'98.



*Regeringskantoor,*

*Pretoria,* 22 December 1898.

Den Weledelen Heer

H.W.J. Blore

J O H A N N E S B U R G , Bus 31.

---

Weledele Heer,

In antwoord op uw schryven d.d. 3 October j.l. re de toelating van den Heer H.A. Loeser als geneesheer en onder verwijzing naar de missive van den Secretaris van den Raad van Examinatoren d.d. 26 October j.l., heb ik de eer, u te informeeran, dat genoemde Ambtenaar thans rapporteert, dat de Voorzitter der Geneeskundige Commissie, die over dergelyke zaken den Raad van Examinatoren adviseert, van gevoelen is, dat de applicatie van Dr. Loeser zoo van alle kanten beschouwd is, dat het onmogelyk zal zyn tot een ander resultaat te komen dan dat, hetwelk reeds by besluit van den Raad van Examinatoren, genomen op advies der Geneeskundige Commissie, is medegedeeld.

Ik heb de eer te zyn

Uw dienstw. dienaar

*J. Bosch*  
Wvd Onder Staatssecretaris.

*in 2000 #18*

U. S. CONSULATE,  
Pretoria, S. A. R.

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Proble, S. A. . . . . January 4th, 1899.

Hon. F. W. Proble,

Under State Secretary for Foreign Affairs,

W. F. F. . . . . I A .

Sir :

I have the honour to say that, although I have had no reply to my letter to you, No. 133, of Nov. 26th, 1898, I have had enclosed to me by Mr. E. H. J. Flore of Johannesburg, a letter to him written by Acting Under State Secretary Fosch under date of Dec. 22nd, 1898, No. 133. Mr. Flore replied thereto stating that the matter was in my hands and he had nothing further to do with it.

Again I have the honour to call your attention to the fact that Mr. Fosch promised Dr. Looser a hearing before the Executive Council, and agreed to have present the Chairman of the Medical Board that we might hear whether the said Chairman's ruling that the Medical Board had decided to exclude from practice all graduates of American schools. It seems that this is what we are to understand, notwithstanding the fact that Dr. Looser has openly expressed a willingness to comply with any examination that he may be subjected to.

I have the honour to be,

Sir,

Your obedient servant,

United States

Proble, S. A. R.  
U. S. CONSULATE

3  
J. H. J. Flore  
J. H. J. Flore  
J. H. J. Flore

in copy. 10

U. S. CONSULATE,  
Pretoria, S. A. R.

W. D. A. Jones

W. D. A. Jones

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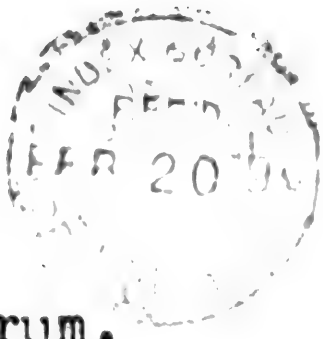
ACKNOWLEDGED

FEB 28 1899

of Foreign Commerce.

*Consulate of the United States,*

Pretoria, S.A.R., January 17th , 1899.



*Mr. Macrum,*

*To the Department of State.*

*Subject:*

Paper in the South African Republic.

*Abstract of Contents.*

Answering circular of Nov.16,1898.-- Population.-- Paper manufacturing concession granted in 1892.-- Terms of the concession.-- Renewal of concession.-- Number of printers and publishers.-- No data as to prices, etc., etc.

o.73/99.

F

CONSULATE OF THE UNITED STATES  
OF AMERICA.

Pretoria, S.A.R.,

January 27th, 1

Hon. John Hay,  
Secretary of State,  
Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt, on today's mail, of your dispatches Nos.14 and 15, under date of December 22nd, 1898, relating to a treaty of reciprocity between the United States and the South African Republic.

It will be impossible to prepare the necessary information for the next week's mail, which leaves early on Monday morning; but I have no doubt I shall have it ready for the mail on the following week.

I have the honour to be,

Sir,

Your obedient servant,

*Handwritten signature*  
United States Cons

**Consular Bureau.**

**MEMORANDUM.**

*Mr. Kasson*

*Visé - March 8. & returned  
Kasson*

Mr. 20.

*At Pretoria*

*Consulate of the United States,*

Pretoria, S.A.R., February 4th, 1899.



Mr. Macrum,

*To the Department of State.*

*Added at.  
March 14*



*Subject:*

**Issuing of Passports.**

*Abstract of Contents.*

Acknowledge the receipt of Despatch No. 17, of December 27, 1898.--

Evident misconstruction of Consular Regulations.-- I have issued during the last quarter of 1898 five passports.-- My first supplies contained necessary forms, giving me to think authority had been granted.--

*Consulate of the United States,*

Pretoria, S. A. R., February 4th, 1899.

*Honorable David J. Hill,*

*Assistant Secretary of State,*

*Washington, D. C.*

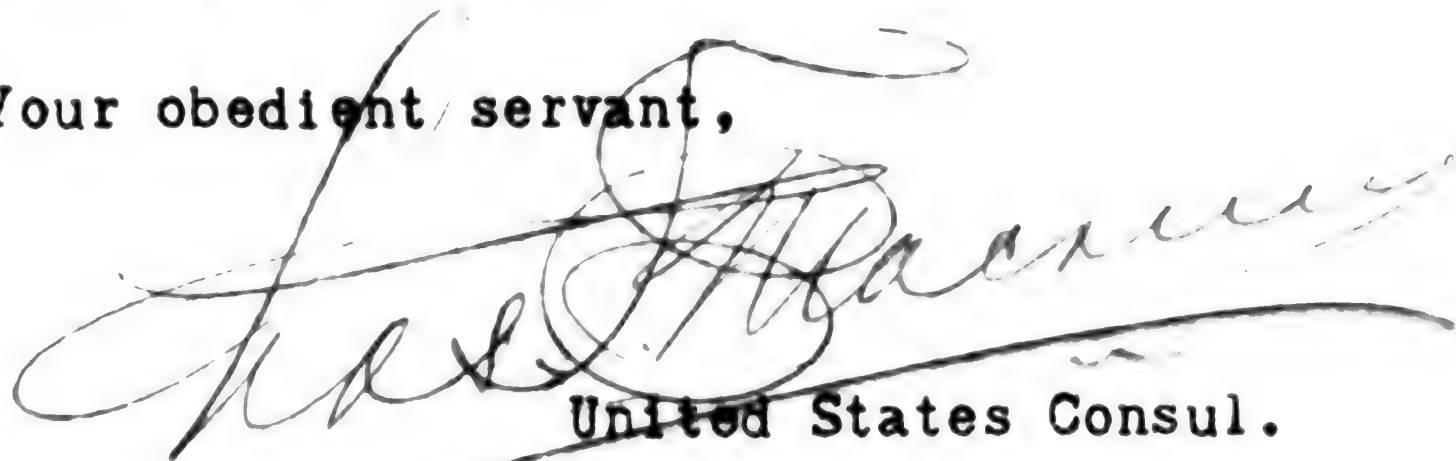
*Sir:*

I have the honour to acknowledge the receipt of your despatch No. 17, of December 27th, 1898, re the issue of passports at this Consulate.

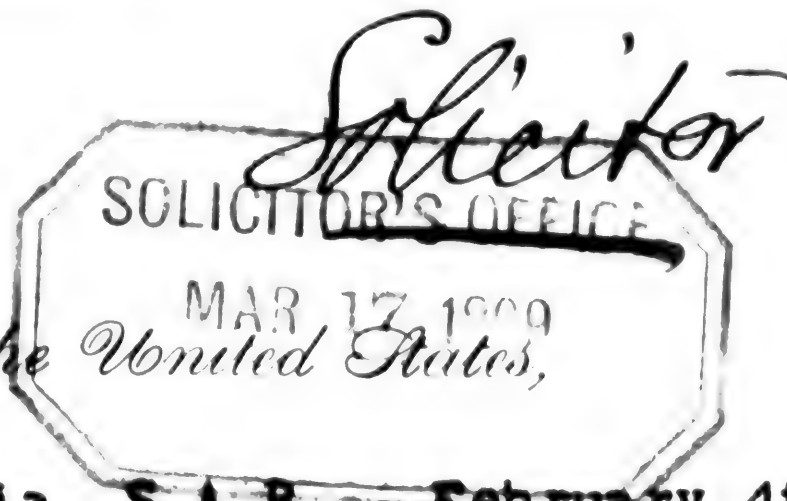
It seems, then, that I have erred in my construction of that part of the Consular Regulations which relate to the right of Consular officers to issue passports, for during the quarter ending December 31, 1898, I issued five of these documents; in each case, however, I was thoroughly satisfied that the parties applying were entitled to them. There was something said at the Consular Bureau respecting passports, and in my initial stock of supplies was included some of the necessary application blanks and passport forms, which gave me to think that the authority had been conferred. Under the circumstances, therefore, I trust that your order will be made retroactive.

I have the honour to be, Sir,

Your obedient servant,

  
United States Consul.

No. 211



Consulate of the United States,

Pretoria, S.A.R., February 4th, 1899.



Mr. Macrum,

REC'D. SECRETARY  
MAR 9 1899

To the Department of State.

Ans. Mar. 18.

Subject:

Claim of NELSON THOMPSON vs. Government of S.A.R.

*Abstract of Contents.*

Affidavit of Thompson enclosed, also my letter to Foreign Secretary.-- Thompson wants his own property, of which he was deprived on arrest, immediately.-- Request for further instructions.



*Consulate of the United States,*

Pretoria, S.A.R., February 4th, 1899.

Honorable David J. Hill,

*Assistant Secretary of State,*

*Washington, D. C.*

Sir:

I have the honour to bring to your notice the case of Nelson Thompson against the Government of the South African Republic, as set forth in his affidavit before me, which affidavit I have enclosed herewith. I have the honour to enclose also, my letter to the Foreign Secretary of the S.A.R. this being the only step I have taken in the case thus far.

The abovementioned documents describe the case so fully that I think further comment is unnecessary. It will be seen that all that Thompson desires immediately is his property, of which he was deprived at the time of his arrest. This looks rather a strange and improbable case, but it is strictly in accordance with scores of stories of the absolute rottenness of the police system of this State.

I have the honour to request your instructions as to any further action in the above case.

I have the honour to be, Sir,

Your obedient servant.

Enclosures:

- 1 Thompson's Affidavit,
- 2 My letter to the Foreign Secretary.

*W. S. Bladen*  
United States Consul.

AFFIDAVIT.

I the undersigned NELSON THOMPSON, at present of Pretoria in the South African Republic, make oath and say :

1.

I am an American subject born on the 8th March 1866 at ~~Sephene~~ <sup>Spokane</sup> Falls, Washington U.S.A.

2.

In the beginning of the year 1897 I was manager of the firm Morgan & Thompson, mining contractors to White's Consolidated Ld, and was living at Buluwayo, British South Africa.

3.

I left British territory in October 1897 with a view of prospecting in the district of Zoutpansberg, South African Republic.

4.

On the 30th of October 1897, whilst camping on the big Letaba in the district of Zoutpansberg aforesaid, I was fired on by the mountain<sup>ed</sup> police of the South African Republic and was arrested without any warrant and without any charge against me being communicated to me.

5.

of my defence not being laid before the Judge and Jury the Jury brought in a verdict of guilty.

9.

I was then sentenced by the Judge, Mr. Justice Reitz, to eighteen months hard labour.

10.

Acting on the suggestion of the Judge at the trial I sent in a petition for release to the Executive Council of the South African Republic, setting out above facts and pointing out that in this case there was no doubt that a miscarriage of justice had taken place.

11.

Thereupon, viz on the 6th of January 1899, after having served a little over 7 months, I was released on aforesaid petition by order of the Executive Council of the South African Republic.

12.

I now humbly apply for the assistance of the Government of the United States of America in order to obtain reparation, especially financial, from the Government of the South African Republic.

13.

The

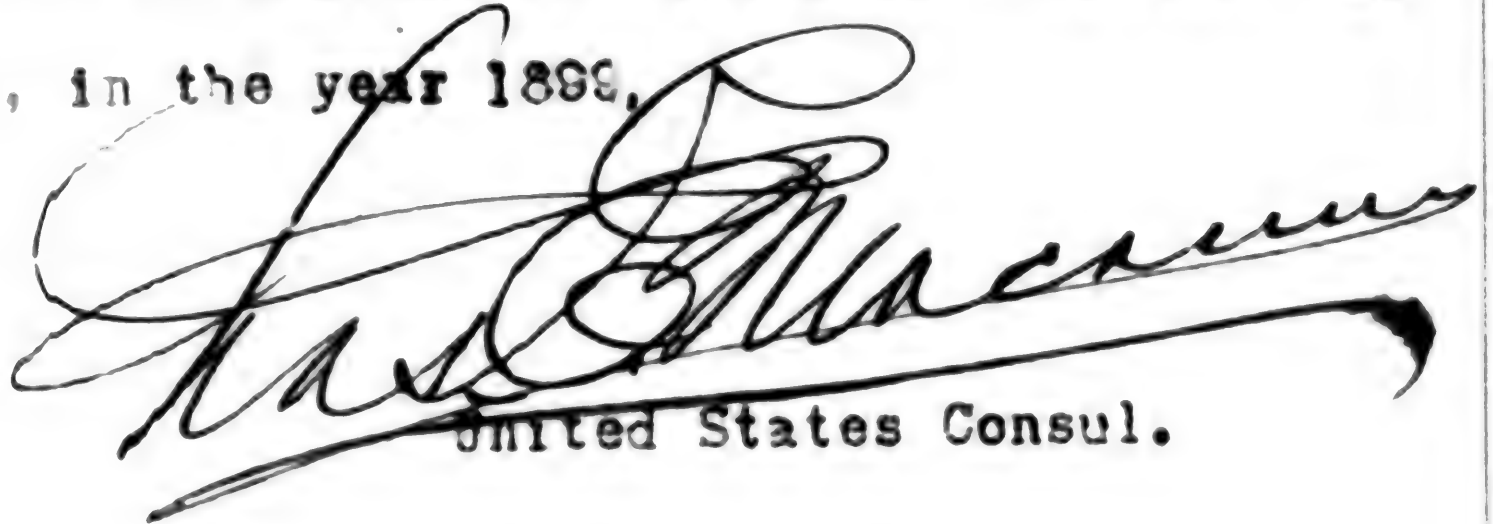
The claim I make is as follows :

- a. the goods taken away from me by the Police including the cash I had on me, were of a value of £89.10.- stg.
- b. the damages sustained by me through the illegal arrest and detention set forth above, I estimate at at least £1000.- stg.

Pretoria S.A.R. 30 January 1899.

*Helson Thompson*

Sworn and subscribed to before me, the 30th day of January, in the year 1899,

  
United States Consul.



Attestation of  
William Thompson  
B. D. A. R. Davis  
Enclosure #1  
in duplicate #21

U. S. CONSULATE,  
Pretoria, S. A. R.

The above I have read as follows:

The bonds taken away from me by the Police  
including the cash I had on me, were of a value  
the damages sustained by me through the loss  
of my first and detention see for the above, I  
estimate at at least £1000.- etc.

Pretoria S.A.R. 30 January 1893.

William Thompson



London, C.A.S., January 30th, 1898.

Hon. R. W. Brooker,  
Under State Secretary for Foreign Affairs,  
London, C.A.S.

Sir:

I have the honour to call your attention to the following case, which I have forwarded to the United States Government. It is as follows:

1.

I was born in the United States, at the town of Pretoria in the Colony of Natal, on the 3th of March, 1866.

2.

I was born in the United States, at the town of Pretoria in the Colony of Natal, on the 3th of March, 1866.

3.

In the beginning of the year 1897 I was manager of the firm of Messrs. Thompson, mining contractors to White's Consolidated, Ltd., and was living at Bulawayo, British South Africa.

4.

I left British territory in October 1897 with a view to prospecting in the district of Zoutpansburg, South African Republic.

5.

On the 30th of October 1897, whilst camping on the big Letaba in the district of Zoutpansburg aforesaid, I was fired on by the mounted police.



police of the South African Republic and was arrested without any warrant and without any charge against me being communicated to me.

The patrol of mounted police consisted of sergent Krige, corporal Duval, troopers Venter, Vosloo and Benecio. They started firing on me without a word of warning and without calling on me to surrender.

6.

The police handcuffed me and then trooper Venter assaulted me and gave me a violent blow in the face.

7.

I was then taken over to Pietersburg, the capital of the district of Transvaal, where I was held in jail. There I was kept for a period of six months and ten days without trial.

8.

I was then tried at Pietersburg aforesaid on charges of high treason, alleging the Public Prosecutor to have been committed on a certain day. I had given my lawyer instructions to subpoena about thirteen witnesses, and also to make Hertz produce his books, but neither the one nor the other was done, and in consequence of my defence <sup>not</sup> being laid before the Judge and Jury, the Jury brought in a verdict of guilty.

9.

I was then sentenced by the Judge, Mr. Justice Peitz, to eighteen months hard labour.

10.

Acting on the suggestion of the Judge at the trial I sent in a petition for release to the Executive Council of the South African Republic, setting out the above facts and pointing out that in this

(case

-3-

and there was no doubt that a miscarriage of justice had taken place.

11.

Thereupon, viz: on the 30th of January 1893, after having served a term of over seven months, I was released on the aforesaid petition by order of the Executive Council of the South African Republic.

12.

I now humbly apply for the assistance of the Government of the United States in order to obtain reparation, especially financial, from the Government of the South African Republic.

13.

1. The sum of £1,000 sterling.  
2. The sum of £1,000 sterling, for the police, including the cash I received of a value of £22-12:- sterling.  
3. The sum as sustained by me through the illegal arrest and detention of which above I estimate at at least £1,000 sterling.

Pretoria, S.A.R., 30 January 1893.

(signed) WELSH THOMPSON.

Sworn and subscribed to before me, the 30th day of January, in the year 1893.

(signed) Chas. E. Macrum.

(Consular Seal)

United States Consul.

The above constitutes the claim of Mr. Thompson against the Government of the South African Republic, and Mr. Thompson informs me that he has seen and talked to His Honour the President, who advised him to present a petition to the Executive Council and that he would look after it. This I believe will be done in the course of a day or two

(but

Mr. Nelson Thompson

Mr. A. G. G. G. G.

Enclosure #2  
in Report #31

U. S. CONSULATE,  
Pretoria, S. A. R.

131/99.



Hon.

Sir:

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131/99.

CONSULATE OF THE UNITED STATES  
OF AMERICA.

Pretoria, S.A.R.,

February 18th, 1899.



*See with  
Sept 12, 1899.*

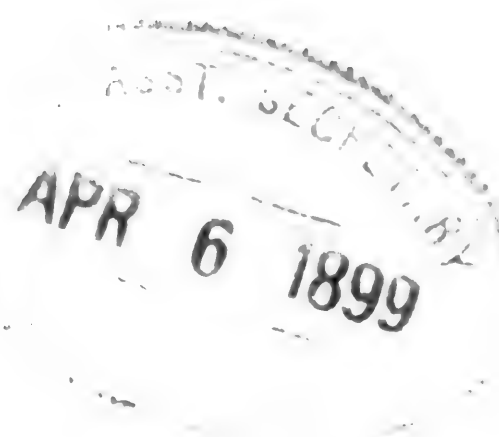
Hon. Thos. W. Cridler,

Third Assistant Secretary of State,

Washington, U.S.A.

*Ans*

*Apr 10  
1899*



Sir:

Replying to your despatch No. 11, of December 14th, 1898, I have the honour to say that I am enclosing to your Department today under a separate cover, and in connection with another despatch, a copy of the military law of the Republic.

The character of the service, as set forth in my despatch No. 10, was an expedition against the natives in the northern part of the State, this expedition, however, has now returned, having been entirely successful in their undertaking.

I have the honour to be,

Sir,

Your obedient servant.

United States Consul.



SOLICITOR'S OFFICE

EST. SECRETARY  
APR 6 1899

Dear Mr. Cridler:-

As indicated in my previous memorandum, I found from an examination of the general question, that according to the preponderance of authority, *in the absence of treaty exemption* alien residents may be required to perform service in a local force raised for the maintenance of internal order or the defense of the territory from an invasion by savages or an uncivilized nation; but that they cannot be forcibly enrolled in the regular army of the country or in any force organized to defend it against a civilized power.

It is understood that the expedition referred to by the consul had for its purpose the quelling of an uprising of natives. Services of this character would seem to come within the description first above mentioned, viz: services in a local force for the maintenance of internal order. I have had Mr. Thomas read to me enough of the military law of the South African Republic, however, to show that the military force for which it provides is to be composed of "white and colored male residents above sixteen years of age"; that it may be called together for the preservation of order and for such circumstances as may arise, in the case of domestic insurrection, for the defense of the country; "and for the purpose of making war upon foreign enemies". This would indicate that the military force referred to is the regular, permanent army of the Republic, and that persons drafted into it are liable to be called upon to assist in waging war against foreign enemies of the State. I do not think this Government should acquiesce in the forcible enrollment of its citizens under such circumstances.

As it appears that the apprehensions of the consul that citizens of the United States might be "commandered" or

drafted for service in the war against the natives, have not been realized and the war has ended, it would seem unnecessary at this time to pass upon the question presented. It is sufficient for the present to instruct the consul to inform the Department in the event that it is sought to enroll a citizen of the United States in the military force of the South African Republic against his will. When an actual case arises, the Department can take appropriate action.

*FV*



Copy No. 23.  
N.



Cons Bureau

McKesson

*Consulate of the United States,*

Pretoria, S.A.S., February 18th, 1899.

*Recd  
June 27*

*Mr. Macrum,*

*To the Department of State.*

*Subject:*

**Proposed Treaty.**

SP. COMM. FILED.	1
R. April 3, 1899.	
A. Received & returned with Memo. April 4, 1899.	

*Abstract of Contents.*

Responding to Despatches Nos. 14 and 15, contents of which were communicated to Foreign Secretary of S.A.R.-- Enclose his reply with translation.-- Exports from the S.A.R. to the U.S.-- Exports from the U.S. to the S.A.R. with amounts and import duties.-- Routes by which shipments are made.-- Treaties with other Countries contain no extradition clause.-- Copies of treaties between S.A.R. and Germany, France and Italy and copy of Military Law is mailed under separate cover.-- No modification of treaty of Feb. 1884 with Great Britain has been made.

*Consulate of the United States,*

Pretoria, S.A.R., February 18th, 1899.

*Honorable John Hay,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

In response to your despatches Nos. 14 and 15, under date of December 22nd, 1898, I have the honour to say that I communicated the contents of these despatches to the Secretary for Foreign Affairs of this Republic. He replied to my communication under date of February 11th, and I have the honour to enclose his letter, with translation, herein.

In your despatch No. 15 you ask information under five heads. This information I have obtained and compiled, so far as it is possible for me to do, as follows, viz:

1st. There is practically no exporting from the S.A.R. except gold and small quantities of copper and lead ore, none of which is sent to the United States.

2nd. Following is a list of articles imported from the United States to the S.A.R., which is substantially correct in amounts, or as nearly so as it is possible to get it, with the import duties. For the year ending December 31st, 1898:

Stationary and Office Supplies, £4351, 7 1/2% ad val.

(Chemicals

Chemicals, £24,301,	7 1/2% ad val.
do. if for mining use	1 1/2% do.
Wood, manufactured, £15,922,	7 1/2% do.
Wood, unmanufactured, £9,731,	7 1/2% do.
Musical Instruments, £1,976,	7 1/2% do.

Pianos £2 each special.

Clothing, woolen or cotton, £13,991,	7 1/2% ad val.
Clocks, Watches and Plated ware, £5,318,	7 1/2% do.
if Gold or Silver	12 1/2% do
Boots and Shoes and leather, £11,676,	7 1/2% do
Machinery, mining and other, £78,815,	1 1/2% do
Grain, meal and flour, £126,698,	Free.
Furniture and Household Goods, £6,197,	7 1/2% ad val.
Oils, machinery and lamp, £21,888,	7 1/2% do.
Ironware, all kinds, £17,931,	7 1/2% do.

3rd. It is rather difficult to say by what routes these shipments are made, although it is presumed that the greater part come by direct lines of steamers from principal ports in the United States to Cape Town, East London, Durban and Lourenço Marques.

4th. As will be noted, the duties on the above named imports are not high, and any suggestion looking to the reduction of same I must obviously leave to your superior judgement.

I am informed by the Foreign Secretary that former

(treaties

treaties with other Powers contain no extradition clause, but he also says that if it has been our custom to have it included in a commercial convention his Government will offer no objection to having such a clause contained in the proposed treaty.

As requested I have obtained the copies of the existing treaties between this Government and Germany, France and Italy, as well as a copy of the military law of the Republic, which I have mailed under another cover.

As will be noted in the State Secretary's letter, no alteration of the Convention of February 1884 with Great Britain has been made, and the Foreign Secretary informs me that under his construction of that treaty Great Britain could not withhold her consent to the approval of any purely commercial treaty concluded with another country.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosure:

Letter from Acting Foreign Secretary with translation.

Mailed under separate cover:

Copies of treaties with Germany, France and Italy.

Copy of the Military Law of the State.



AFDEELING A.

RA 617/99.

189

B 489

1899

verhoefte bij eventueele referte  
dezen brief bovenstaande  
nummers aan te halen.



(746)

Departement van Buitenlandsche Zaken.  
Gouvernements Kantoor.

5. Bylagen

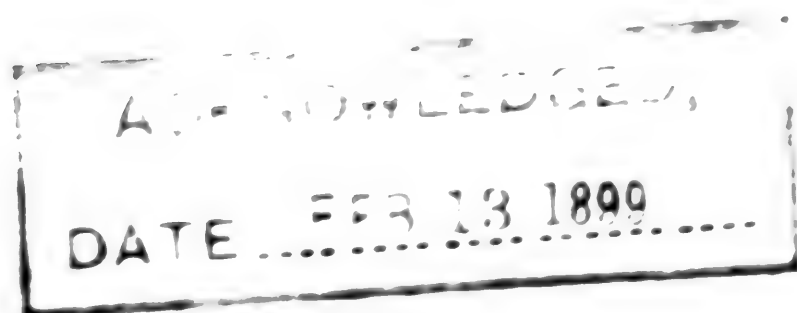
Pretoria,

11 Februari 1899.

WelEdelGestrenge Heer,

Ik heb de eer de ontvangst te erkennen  
van Uwe missive van den 30sten ulto. No. 78/99 waarin Gy my  
in kennis stelt met de bewoordingen van eene door U van  
Z.E. den Secretaris van Staat te Washington ontvangene mis-  
sive aangaande een eventueel tusschen Uwe Regeering en deze  
Regeering te sluiten tractaat, en verzoekt dat U ter door-  
zending aan Uwe Regeering en ter vergemakkelyking van het  
optrekken van een concepttractaat, zekere door U opgenoem-  
de documenten mogen worden toegezonden .-

" Deze "



Der. WelEdelGestrenge n. Heer,

Charles E. Macrum,

Consul der V. Staten van Noord-Amerika,

Pretoria.

Deze Regeering heeft met byzonder veel genoegen van den inhoud van Uw schryven kennis genomen en waardeert ten zeerste de vriendschappelyke uitingen van Zyne Excellentie ten Haren opzichte.

Het zal Haar aangenaam zyn te zyner tyd een cocept tractaat te ontvangen , waaraan zy niet nalaten zal hare meest nauwkeurige aandacht te wyden , welk tractaat , indien tot stand gekomen , naar zy vertrouwt en hoopt zal strekken tot versterking der vriendschappelyke verhoudingen tuschen de beide Republieken .

De in Uw schryven vervatte punten met betrekking tot de documenten benoodigd in verband met het optrekken van een cocepttractaat in opvolging behandelende , kan ik U mededeelen met betrekking tot ,

Punt I , dat hieromtrent tot myn leedwezen geene voldoende inlichtingen kunnen worden verstrekt , aangezien in dezen Staat geene uitvoerregulaties van kracht zyn,

Punt II, dat de waarde en hoeveelheid van goederen die in deze Republiek worden ingevoerd , maandelyks in de statistieken worden opgenomen , van welke statistieken een exemplaar te Uwer informatie hiernevens gaat .

Punt III, dat aangezien dienaangaande geen speciale aantee-

" kening"



Deputat, # 7 m

# WET N<sup>o</sup>. 20, 1898,

## voor den Krijgsdienst in de Zuid-Afrik. Republiek.

*Goedgekeurd door den Ed. Achtb. Eersten Volksraad bij art. 1548  
zijner notulen dd. 3 November 1898.*

### ORLOGSVERKLARING.

ART. 1. De Staatspresident, met toestemming van den Uitvoerenden Raad, verklaart oorlog en sluit vrede, met verwijzing naar desbetreffende bepaling in de Grondwet, zullende de Regeering zoo mogelijk eerst den Eersten Volksraad bijeenroepen voor de oorlogsverklaring.

Het vredetractaat behoeft de goedkeuring van den Eersten Volksraad, die daartoe zoo spoedig mogelijk wordt samengeroepen.

2. De Staatspresident, met toestemming van den Uitvoerenden Raad, geeft last tot een commando, doch in geval de Uitvoerende Raad niet tijdig genoeg bijeen kan komen, kan de Staatspresident, op advies van den Commandant-Generaal, zulks doen ter hunner verantwoording.

3. De krijgsmacht van de Zuid-Afrikaansche Republiek bestaat uit alle blanke en gekleurde mannelijke ingezetenen boven de 16 jaren, en wordt opgeroepen tot handhaving van orde, tot commando's ter gelegenheid van binnenlandsche opstanden, tot verdediging des lands en tot beoorloging van buitenlandsche vijanden.

4. Onder een commando wordt in deze wet verstaan het uitgaan van gewapende burgers en onderdanen van den Staat ter zake der opstanden van kleurlingen of tot demping van onlusten onder de blanke bevolking, of tot verdediging des lands, of tot beoorloging van buitenlandsche vijanden.

5. a. De Veldkornet zal zijne commandeerlijsten opmaken in termen van art. 17 dezer wet en zal hij, ten einde te voorkomen, dat eene expeditie verstraagd wordt, altijd eene supplementaire lijst opmaken van ten minste 10 percent boven het vereischte getal burgers, waaruit de plaatsen der verschoonde burgers dadelijk zullen worden opgevuld.

b. De Veldkornetten zullen tevens van iedere wijk naar evenredigheid, de verdere benoodigdheden volgens de bepalingen dezer wet commandeeren en zijn verplicht, vooral met het oog op verdere oproepingen, zoo te handelen, dat van bekwame

dienstbare burgers geene kosten worden afgecommandeerd en dat alle eischen in billijkheid en rechtvaardigheid geschieden naar evenredigheid van vermogen.

c. De Veldkornetten zullen, zoodra het commando bijeen is, verslag geven aan hunne Commandanten en die aan den Commandant-Generaal, van al hetgeen zij opgecommandeerd hebben, de lijsten waarvan door den Commandant-Generaal met den Krijgsraad zullen worden behandeld.

d. Ingeval er door personen om verschooning wordt gevraagd, zal de Veldkornet de macht hebben zulks toe te staan, doch daarvan dadelijk aan den Commandant kennis geven, en hij zal tevens aan dien ambtenaar verantwoordelijk zijn voor de verleende verschooning; ook hiervan wordt door de Commandanten verslag gegeven aan den Commandant-Generaal, en zoo verder aan den Krijgsraad.

6. De Commandant-Generaal doet alle oproepingen in vrede en voor oorlog, en heeft het opperbevel van het geheele leger.

7. Ieder tot krijgsdienst opgeroepen ingezetene, zal verplicht zijn te zorgen voor eigen kleeding, een geweer in goede orde, met minstens ammunitie voor 30 schoten.

Behoeftige ingezetenen, mits zij van hun onvermogen terstond bij de oproeping voldoende bewijs leveren aan den Veldkornet, worden door de Regeering van een en ander voorzien.

8. Indien eenig persoon op commando is, zullen alle rechterlijke procedures in civiele zaken, ten opzichte van zoodanig persoon gestaakt worden en eerst 60 dagen na afloop van het commando hervat kunnen worden.

Zoodra de Krijgswet is afgekondigd, zullen alle rechterlijke procedures in civiele zaken worden gestaakt, en geene executiën begonnen of voortgezet kunnen worden tot op den 60sten dag na de terugroeping van bovengemelde wet.

De schutten zullen dan gesloten zijn.

Heerenrechten zullen tegen personen, die op commando zijn voor den tijd van 60 dagen daarna, geene renten dragen.

9. Zoodra de Staatspresident volgens art. 1 besluit oorlog te verklaren of last geeft tot een commando, kondigt hij dit bij eene proclamatie af. Deze proclamatie bevat de redenen, die tot de oorlogsverklaring geleid hebben en eene korte herinnering aan de hoofdbepalingen dezer wet.

10. De Regeering zal moeten zorg dragen, dat wanneer er een commando in het veld uittrekt, dat het

zooveel mogelijk behoorlijk van genees- en heilkundige hulp voorzien wordt.

#### ADMINISTRATIE.

11. Tot indeeling van de krijgsmacht wordt het grondgebied dezer Republiek verdeeld in veldkornetschappen en districten. De scheidingslijnen dier veldkornetschappen en districten worden bepaald door en bij gezamenlijk overleg van den Commandant-Generaal en de aangrenzende Commandanten en Veldkornetten, onder nadere goedkeuring en bekrachtiging van den Uitvoerenden Raad; en ieder inwoner zal verplicht wezen om onder het veldkornetschap of district, waaronder hij woont, aan die autoriteit te gehoorzamen.

12. De officieren worden bij meerderheid van stemmen gekozen, namelijk: de Assistent-Veldkornetten en Veldkornetten, door de stemgerechtigde burgers der wijken; zoo ook de Commandanten door de stemgerechtigde burgers der districten.

13. Zij worden aangesteld: de Commandanten voor 5 jaren, de Veldkornetten en Assistent-Veldkornetten voor 3 jaren, en zijn bij aftreding herkiesbaar.

14. Voor elk district zal niet meer dan één Commandant gekozen worden.

15. De Commandanten en Veldkornetten voldoen aan de bevelen der Landdrosten, voor zoo verre zij volgens de bepaling der wetten omtrent de rechterlijke administratieve macht daarmede in aanmerking komen.

16. De lijsten door de Veldkornetten aangelegd en aan den Commandant-Generaal toegezonden, zullen aantoonen de dienstplichtige burgers hunner respectieve wijken.

17. Hij verdeelt deze lijsten in drie staten.

De eerste staat bevat jongelingen beneden 18 en de mannen boven de 50 jaar.

De tweede staat bevat de mannen van 18 tot 34 jaar.

De derde staat bevat de mannen van 34 tot 50 jaar.

18. Hij zal de op die lijsten voorkomende dienstplichtigen in vredestand zoodanig verdeelen, dat eene oproeping van dezen zoo onpartijdig mogelijk zal geschieden en wel zoo dat er rijken en armen, ouden en jongen te zamen worden opgeroepen om zich bij elkaar te voegen, opdat zij elkander behulpzaam kunnen zijn.

Hij zal zoodra eene oproeping moet plaats vinden, volgens de genoemde lijsten opmaken eene commandeerlijst, waarop zoovele dienstplichtigen moeten voorkomen als uit zijne wijk worden gevorderd.

Hij zal een duplicaat van die commandeerlijst, waarop het relaas van den commandeerman moet zijn vermeld, dadelijk aan den Commandant zenden.

19. Brieven, couranten en boeken van of naar eenig commando zullen voor dezen Staat postvrij zijn.



## PLICHTEN EN MACHTEN.

20. Is opgedragen aan de Assistent-Veldkornetten en Veldkornetten, de handhaving van orde; aan de Commandanten, de commando's ter zake van binnenlandsche opstanden der kleurlingen, de commando's tot demping van onlusten onder de blanke bevolking, de verdediging des lands en het beoorlogen van buitenlandsche vijanden; in welke gevallen de Commandant-Generaal het opperbevel over het geheele leger zal hebben.

21. Wordt verstaan door

- a. Handhaving van orde: de nakoming der wetten, de ten uitvoerlegging der vonnissen na ontvangen order; en de inachtneming der maatregelen van algemeen en plaatselijk belang; voorts het opzicht over de kleurlingen en het tegengaan van landlooperij en vagebonden in de Veldkornetschappen.
- b. Commando's ter zake van opstanden der kleurlingen; het tot plicht brengen van binnenlandsche Kaffer-opperhoofden.
- c. Commando's tot demping van onlusten onder de blanke bevolking; het aanvoeren van voldoende macht naar het district waar de onlusten zijn uitgebroken, en door
- d. Verdediging des lands en het voeren van oorlog; het ten uitvoer brengen van de oorlogswet, het te velde trekken aan het hoofd des legers.

22. Al de orders ontvangen de onderhoorigen van de boven hen gestelde officieren en ambtenaren.

23. Als officieren dienen de Assistent-Veld-, de Veldkornetten, benevens Commandanten en de Commandant-Generaal.

24. De officieren, met uitzondering van den Commandant-Generaal, leggen bij het aanvaarden van hun ambt in handen van den Commandant-Generaal of van den Landdrost van hun district den ambtseed af.

25. Hun eed zal zijn van den volgende inhoud:

«Ik beloof en zweer plechtig trouw aan het volk dezer Republiek; in mijne betrekking naar wet, recht en billijkheid te zullen handelen volgens mijn beste kennis en geweten, zonder aanzien des persoons, dat ik aan niemand eenige gift of gunst gedaan of beloofd heb om tot die betrekking te geraken; van niemand eenige gift of gunst te zullen aannemen wanneer ik vermoeden kan, dat deze gedaan of bewezen zou worden om mij in mijne betrekking ten voordeele van den gever of begunstiger over te halen: te zullen gehoorzamen aan de bevelen der boven mij gestelden, volgens de wet, en

acht moeten worden gegeven naar het meerdere of mindere vermogen der ingezetenen.

30. Indien door weigering of onwil, de Veldkornet het voorgeschreven aantal manschappen, of ook de voorgeschreven wagens of ossen niet kon verkrijgen, neemt hij op eigen verantwoordelijkheid en met inachtneming van de regelen boven gesteld, maatregelen om het ontbrekende aan te vullen.

31. Ieder, die zich over de bovenstaande beschikkingen op goeden grond meent te kunnen beklagen, heeft het recht van den Veldkornet op den Commandant en van dezen op den Commandant-Generaal en Krijgsraad zich te beroepen, die finaal beslist.

Indien de Krijgsraad bij onderzoek der zaak bevindt, dat zijne gronden op valsche voorstellingen rusten en door zijn verzet misschien een ander ingezetene in zijne plaats persoonlijk dienst heeft moeten doen of eenige benodigdheden opbrengen, dan zal hij dezen volledig schadeloos stellen.

32. De uitgetrokken dienstplichtigen worden vergezeld door een commissaris voor mond- en krijgsbehoeften, belast met de zorg voor proviand en ammunitie, die aangesteld wordt door den Commandant-Generaal, na goedkeuring van den Krijgsraad.

Zijne verplichtingen en werkzaamheden zijn geregeld bij de wet in de Instructies van den Commandant-Generaal, goedgekeurd door den Krijgsraad.

Tot op het oogenblik, dat de uitgetrokken dienstplichtigen bij het groote lager zullen zijn gekomen, zijn de Commandanten en Veldkornetten der verschillende districten en wijken belast met de zorg voor mond- en krijgsbehoeften hunner afdeelingen.

Het salaris van den krijgscmissaris tevens magazijnmeester, wordt bepaald op £1.10 per dag, gedurende den tijd dat hij op commando dienst doet, terwijl hij voldoende borg moet stellen ter goedkeuring van den Commandant-Generaal.

33. Vrijwilligers op commando hebben dezelfde verplichtingen en voorrechten als degenen, die gecommandeerd zijn.

34. De Commandanten en Veldkornetten zullen toezien, dat geene schade door nalatigheid of moedwiligheid aan de benodigde wagens, ossen en zoo voorts worde veroorzaakt: eenig persoon zich hieraan schuldig makende zal verplicht zijn de schade te vergoeden. Het Gouvernement echter blijft aan de eigenaars verantwoordelijk.

35. De verplichtingen der Staatsartillerie, wanneer zij aan een burgercommando wordt toegevoegd, worden bepaald door den Commandant-Generaal. Aan den Commandant-Generaal en Krijgsraad is opgedragen het



daarstellen van regulaties voor Lager-Commandanten, Krijgskommissaris, zoowel als voor de burgers, welke zullen inhouden strafbepalingen, die dadelijk kracht van wet zullen hebben.

#### STRAFBEPALINGEN.

36. Ieder persoon tot commandodienst gecommandeerd zijnde, niet gehoorzamende aan de oproeping of order hem gegeven, zal gestraft worden met eene boete van £5, of bij wanbetaling met eene gevangenisstraf van 3 dagen, bij voortdurenden onwil met eene boete van £37 10s., of bij wanbetaling met eene gevangenisstraf van drie maanden. De bepalingen van art. 38 zijn hier toepasselijk.

Krijgsofficieren, welke een last of order, aan hen gegeven ter uitvoering van het commandeeren, niet opvolgen, zullen gestraft worden:

- a. Assistent-Veldkornetten, met eene boete van £5 tot £37 10s., naar den aard der zaak, of bij wanbetaling met gevangenisstraf van hoogstens 6 maanden, en in geval van voortdurende weigering tot uitvoering van orders, met schorsing uit hunne betrekking.
- b. Veldkornetten met eene boete van £10 tot £50, naar den aard der zaak, of bij wanbetaling gevangenisstraf van hoogstens 9 maanden, en in geval van voortdurende weigering tot uitvoering van orders, met schorsing uit hunne betrekking.
- c. Commandanten met eene boete van £15 tot £75, naar den aard der zaak, of bij wanbetaling gevangenisstraf van hoogstens 12 maanden, en in geval van voortdurende weigering tot uitvoering van orders, met schorsing, uit hunne betrekking.
- d. De Commandant-Generaal niet gehoorzamende aan de bevelen der Regeering, zal worden gestraft met eene boete van £50 tot £500, naar den aard der zaak, of bij wanbetaling gevangenisstraf van hoogstens 18 maanden, en in geval van voortdurende weigering tot uitvoering van orders, met schorsing uit zijne betrekking, en in welk geval de Regeering tijdelijk voorziening kan maken voor de opvulling van deze vacature.

Deze boeten zullen geschieden:

Voor den Commandant-Generaal door den Staatspresident met advies en consent van den Uitvoerenden Raad.

Voor Commandanten door den Commandant-Generaal.

Voor Veldkornetten en Assistent-Veldkornetten door de Commandanten.

Voor de burgers door de Veldkornetten, met behoud van appèl naar rang van opklimming.

37. Nalatigheid in het voldoen van art. 43 wordt gestraft met £1 tot £10, of gevangenisstraf van 10 dagen tot een maand, naar den aard der zaak.

Overtreding van art. 7 eerste alinea maakt strafschuldig in geval van nalatigheid voor eene boete van £1 tot £5, bovendien in geval van voortdurenden onwil voor eene boete van £37 10s. of drie maanden gevangenisstraf.

Verzuim van de in art. 7 tweede alinea bedoelde kennisgeving wordt gestraft met eene boete van niet minder dan £1 en niet meer dan £5.

38. Alle boeten op de gecommandeerden worden opgelegd en ingevorderd door de Veldkornetten, die bij wanbetaling daarvan kennis geven aan den Landdrost van hun district, die voor de invordering zorg draagt.

De Landdrost heeft de macht in geval de Veldkornet boete opgelegd heeft, of gevangenisstraf bij wanbetaling, de invordering van de boete of het opleggen der gevangenisstraf op te schorten, indien hem gegronde redenen worden aangetoond, en de beslissing daarover aan den Krijgsraad over te laten, aan wien hij dadelijk daarover zal rapporteeren.

De Krijgsraad zal dan oordeelen naar bevinding of die persoon aan de orders moet voldoen en de boete moet ondergaan dan of hij geheel vrijgesteld wordt.

Indien iemand tot gevangenisstraf veroordeeld is, zal hij aan de justitie worden overgeleverd tot het ondergaan van die straf.

Iemand, die zich bezwaard gevoelt over eene bijdrage hem door een Veldcornet afgecommandeerd, kan zich wenden tot den Commandant, die over zijne zaak zal beslissen: van die beslissing zal appèl zijn bij den Krijgsraad.

Wanneer de Krijgsraad beslist, dat de door den Veldcornet opgelegde boete betaald moet worden zal hij daarvan kennis geven aan den Landdrost ter invordering.

De boeten welke de Veldkornet heeft ingevorderd en ontvangen verantwoordt hij aan zijn Commandant, welke zij verantwoorden aan Commandant-Generaal en Krijgsraad.

Het opleggen van boete verschoont zoodanig persoon niet weder dadelijk opgecommandeerd te worden.

39. Niemand zal vermogen wanneer een oorlog zal zijn verklaard, of orders gegeven zullen zijn tot het uitzenden van een commando tegen eenigen vijand, zijn veldkornetschap te verlaten zonder schriftelijk verlof van zijn Veldkornet en zich dusdoende onttrekken aan

den dienst van hem gevorderd, onder verbeurte van eene boete niet te bovengaande £37 10s. sterling, of gevangenisstraf niet te bovengaande drie maanden, zulende hij, ingeval zijn Veldkornet weigert het gevraagde verlof te verleen, zich van laatstgenoemde mogen beroepen op den Commandant en van hem op Commandant-Generaal of Krijgsraad.

Ieder beambte bevoegd tot het ten uitvoer brengen van crimineele lastbrieven zal personen, die zonder verlof wegtrekken, mogen achterhalen en arresteeren, en ieder die kennis draagt van het wegtrekken van dergelijke personen, is verplicht hiervan onmiddellijk aan zoodanigen beambte kennis te geven.

Burgers die hunne respectieve veldkornetschappen vóór of in tijd van oorlog of commando verlaten, zal de Veldkornet van hunne wijk gerechtigd zijn te commandeeren of te doen commandeeren waar zij zich bevinden.

40. Indien in gevallen van oorlog of commando iemand met het doel om den krijgsdienst te ontduiken, zonder schriftelijk verlof van zijn Veldkornet, den Staat verlaat, zal hij terechtgesteld kunnen worden voor het Hoog Gerechtshof en als hij schuldig bevonden wordt, onderworpen zijn aan eene boete van £100 tot £500 sterling, of eene gevangenisstraf van één tot vijf jaar, in beide gevallen met verlies van stemrecht; indien de dagvaarding niet op hem persoonlijk kan gediend worden, zal hij minstens 30 dagen vóór de zitting van zoodanig Hof gedagvaard worden bij edicte in de *Staatscourant*, en indien hij niet verschijnt, zal de uit te spreken boete verhaald kunnen worden op zijne roerende of onroerende goederen. Indien de Veldkornet het gevraagde verlof weigert, kan de aanzoeker zich beroepen op den Commandant, en indien ook deze vermeent hetzelfde niet te mogen toestaan, zal hij het recht hebben zich tot verkrijging daarvan te wenden tot den Commandant-Generaal en Krijgsraad.

41. Ieder gecommandeerde of op commando zijnde dienstplichtige of vrijwilliger, die zich aan het commando onttrekt buiten schriftelijke toestemming van den bevelvoerenden officier der afdeeling waartoe hij behoort, kan door den Veldkornet van zijne wijk worden gestraft met eene boete van hoogstens £50, bij niet betaling te vervangen door gevangenisstraf van hoogstens 6 maanden. Van die uitspraak is appèl op den Krijgsraad. De opgelegde straf zal worden ten uitvoer gelegd door de Civiele Autoriteit.

#### VRIJSTELLING.

42. Van Commandodienst zijn vrijgesteld:

a. de dienstdoende leden van de beide Volksraden;



de landsambtenaren, de dienstdoende Kerke-  
raadsleden en beambten in effectieven dienst  
der Kerk en onderwijzers.

- b. Ook zijn van persoonlijken Krijgsdienst ver-  
schoond zoodanige ongehuwde jongeling, hetzij  
kind, kindskind of pleegkind, die de eenige  
zorg is voor eene weduwe en bij haar in huis  
woont; zij die lichamelijke gebreken hebben,  
welke hen, volgens certificaat van een geadmit-  
teerden geneeskundige, voor den Krijgsdienst  
ongeschikt maken en als zoodanig bij den  
Veldkornet zijn aangeteekend na goedkeuring  
van de betrokken officieren, en zij, die andere  
wettige en gegronde verontschuldigingen  
kunnen bijbrengen om daarvan verschoond  
te wezen.
- c. Ook zijn vrijgesteld van persoonlijken Krijgs-  
dienst. leerlingen van al of niet door de Re-  
geering ondersteunde scholen, mits hunne  
namen voorkomen op de lijsten van school-  
gangers, minstens een maand voorafgaande  
aan het Commando.
- d. Bestuurders van gevestigde bezigheden of  
andere gelicentieerde personen; bestuurders  
van Maatschappijen hier te lande opge-  
richt en erkend volgens Wet No. 5, 1874;  
bestuurders eener maatschappij, die een con-  
tract hebben tot levering van eenig werk  
binnen een bepaalden tijd en met een bepaald  
aantal arbeiders, welk contract bij gebreke  
daarvan zou vervallen, zullen, zoo lang moge-  
lijk voor hen en een zeker getal hunner  
arbeiders, door de Regeering te bepalen,  
vrijgesteld zijn van persoonlijke Krijgsdienst.  
In het uiterste geval wanneer tot verdediging  
van den Staat ieder dienstplichtige moet op-  
komen, heeft de Regeering het recht, de be-  
palingen van zoodanig contract, waarbij ver-  
beurdverklaring zou kunnen worden toegepast,  
op te schorten in den geest van artikel 8,  
2de alinea.
- e. Nog zullen worden vrijgesteld, zoowel van  
persoonlijken Krijgsdienst, als van kosten,  
personen, die meer dan een ongehuwden zoon  
in huis hebben, die verplicht zijn tot per-  
soonlijken Krijgsdienst en die toegerust moeten  
worden door hun vader op grond, dat derge-  
lijke personen geacht worden, wanneer zij  
daaraan voldaan hebben, alsdan reeds genoeg  
aan den lande te hebben bijgedragen.

f. Ook zijn vrijgesteld van persoonlijken Krijgsdienst alle emigranten van waar ook, gedurende de twee eerste jaren van hun verblijf in de Zuid-Afrikaansche Republiek, met dien verstande, dat hierdoor geene inbreuk worde gemaakt op de voorzieningen van bestaande tractaten.

g. Ook zullen kleurlingen, werkelijk in dienst bij een dienstheer volgens plakkerswet, geen tien te bovengaande, niet kunnen worden opgeroepen ten tijde van Commando.

43. Zij die wettelijk van persoonlijken krijgsdienst zijn vrijgesteld, zullen in gevallen van commandos of oorlog bijdragen moeten doen, waarvan het bedrag aan waarde door den Veldcornet moet geregeld worden naar vermogen van den gecommandeerde £15 niet te bovengaande, met uitzondering van leerlingen, zooals in voorgaand artikel omschreven. Deze afcommandeering kan alleen in uiterste noodzakelijkheid worden herhaald, wanneer verdere oproepingen noodzakelijk zijn. Zij van wie benoodigdheden worden gecommandeerd, die zij niet leveren kunnen, kunnen de waarde daarvan in geld storten, overigens zal geen geld worden afgecommandeerd. Die bijdragen zullen door de Veldcornetten ingevorderd, en aan den Commandant-Genenaal en Krijgsraad verantwoord moeten worden, binnen den tijd door dezen te bepalen, en door hen aan den Krijgscommissaris afgeleverd, en de Veldcornet of de beambte met het opvorderen van die bijdragen belast, zal verplicht zijn daarvoor in elk geval kwitantie te verleen als volgt, waarvan hij het tegenblad aan den Commandant-Generaal zal inleveren, kwitantie en tegenblad in den volgende vorm:

No.

Ontvangen van.....	No.
.....voor de.....	Ontvangen van.....
oproeping in het Com-	.....voor de.....
mando tegen.....	oproeping in het Commando
	tegen.....
.....den.....18..	.....den.....18..

Veldkornet.

Veldkornet.

44. De vrijstellingen in deze wet genoemd, zullen in geen geval van toepassing zijn, wanneer de krijgswet is afgekondigd.

45. Ingezetenen, die geen burgers zijn en op grond van tractaten van persoonlijken krijgsdienst vrijgesteld zijn, zullen in gevallen van commando's of oorlog, bijdragen moeten doen gelijkstaande met andere burgers.

46. Verrichte krijgsdienst, geleverde benoodigdheden

of voldoende gedane vrijwillige bijdragen of diensten, stellen voor de eerstvolgende maal, indien mogelijk, vrij van diensten als vermeld in art. 18 en 29.

#### KRIJGSRAAD.

47. De Commandant-Generaal of bevelvoerende officier van het leger (wanneer oorlogswet wel is afgekondigd) of van het commando (wanneer oorlogswet niet is afgekondigd) belegt den Krijgsraad, waarvan hij altijd de Voorzitter is, bestaande in:

- a. *Een generalen of grooten Krijgsraad*, te zamen-gesteld uit alle aanwezige Commandanten. Veldkornetten, Assistent-Veldkornetten en den Hoofd-Artillerie-Officier—deze Generale Krijgsraad zit in gevallen van hoogsten nood en van grootste belangen—ook om het plan en de operatiën van een veldtocht, oorlog of commando vast te stellen, en om alles te beslissen, den dag vóór een plaats te hebben grooten veldslag of hoofdslag.
- b. *Een kleinen of gewonen Krijgsraad*, bestaande alleen uit de aanwezige Commandanten en Veldkornetten en den aanwezigen Hoofdofficier der Artillerie. Deze gewone Krijgsraad bespreekt en bepaalt de gewone en dagelijksche operatiën.

De Commandant-Generaal of bevelvoerende officier van een leger of commando is *niet* gebonden en verplicht voor elke onderneming een Krijgsraad op te roepen, hij kan op zijn eigen handelen, wanneer hij dit goed vindt en de verantwoordelijkheid van het resultaat wil op zich nemen.

48. De Commandant-Generaal of bevelvoerende officier der Z.-A. Republiek staat in vrede en oorlog direct onder den Staatspresident en Uitvoerenden Raad, maar is tevens ook verantwoordelijk—voornamelijk voor het resultaat van een commando of oorlog—aan den Eersten Volksraad.

De Commandant-Generaal of bevelvoerende officier der Z.-A. Republiek trekt een vast salaris, in vrede en in oorlog.

Hij belegt een *Krijgsgericht*, waarvan hij den Voorzitter elken maal aanstelt—terwijl de leden door den Krijgsraad worden gekozen,—hij zelf kan geen Voorzitter daarvan zijn,—het vonnis van het Krijgsgericht wordt aan hem voorgelegd ter bekrachtiging, verandering of vernietiging. Hij heeft het recht van het zwaard en van genade, met andere woorden hij kan een ter dood veroordeelde laten executeeren of begenadigen, welk recht aan den Commandant-Generaal of bevelvoerenden officier



van het leger of commando verleend wordt door den Staatspresident en Uitvoerenden Raad elken maal bij het uitbreken van oorlog of uittrekken van een commando, maar na afloop ophoudt te bestaan.

Een Krijgsgericht bestaat in:

- a. Generaal of groot Krijgsgericht—beslissende over dood en leven—misdaden, zooals desertie voor den vijand, spionneeren, rebelleeren, diefstal, moord, roof, brand, enz., gepleegd door personen op commando of onder den krijgsdienst en is samengesteld uit 13 personen, namelijk:

De Voorzitter, 4 Commandanten (of 3 Commandanten en de Hoofdofficier der Artillerie), 4 Veldkornetten en 4 burgers gelijk aan 13 personen.

- b. *Een klein of gewoon Krijgsgericht*, recht sprekende over de geringere misdaden en disciplinaire misdaden, bestaande uit:

3 Commandanten (waarvan de oudste in dienst als Voorzitter), 2 Veldkornetten (of 1 Veldkornet, 1 Batterij-officier der Artillerie), 2 burgers, gelijk aan 7 personen.

- c. De Regeering met den Uitvoerenden Raad zal een bevoegd persoon belasten met de prosecutie voor het Krijgsgericht.

- d. Al de leden van beide Krijgsgerichten leggen voor de aanvaarding van hun ambt den eed af, zooals voorgeschreven voor gewone juryleden.

49. De burgers of andere personen, onder bevel van eenigen krijgsofficier of krijgsofficieren uitgetrokken, zullen aan de wettige orders van hunne officieren strikte gehoorzaamheid betoonen en officieren zoowel als burgers of andere ondergeschikte personen, zich aan eenige commando-overtreding schuldig makende, zullen met inachtneming van de regulatiën door den Krijgsraad vast te stellen, door het Krijgsgericht mogen worden gestraft naar den aard of graad van zoodanige overtreding.

De bevelvoerende officier van iedere afdeeling heeft de macht zonder advies van den Krijgsraad zijne bevelen te geven, doch niet in strijd met reeds gegeven orders.

Alle vrijwilligers in korpsen op commando zijnde, staan direct onder de bevelen van den Commandant-Generaal.

#### BUIT.

50. De personen welke vee of eenig ander gedeelte van den buit eigenen, zullen zich met twee gegoede borgen als mede-principale schuldenaren verbinden in

eene som dubbel het bedrag der waarde van hetgeer door hen wordt geëigend, waarna het geëigende kan worden afgegeven, waarvan aantekening door den Commandant zal worden gemaakt, tenzij de partijen bereid zijn dadelijk voor eene commissie door den Commandant-Generaal benoemd het bewijs van het geëigende te leveren.

Er zal door den Commandant-Generaal eene commissie worden benoemd, waarvoor zij hunne bewijzen van eigendom zullen moeten brengen, en indien zij nalatig blijven voor zoodanige commissie te verschijnen of hun eigendom op zoodanigen geëigenden buit niet ten genoegen der commissie kunnen bewijzen, zullen zij het geëigende goed moeten teruggeven of de waarde daarvan betalen, benevens de kosten der zaak moeten dragen. Bij de behandeling van dergelijke zaken zal de Krijgsraad een geschikt persoon kunnen benoemen om het Gouvernement te vertegenwoordigen.

51. Indien er bij eenige gelegenheid buit op den vijand gemaakt wordt, zal het  $\frac{1}{3}$  behooren aan het Gouvernement, tot gemoetkoming in de oorlogs- of commandokosten, terwijl de andere  $\frac{2}{3}$  zullen verdeeld worden onder al degenen, die werkelijk deel uitmaken van het commando, zooals zal worden geregeld door den Krijgsraad.

Onder de benaming van buit worden niet begrepen kanonnen en kriegsbehoefsten, welke het eigendom worden van het Gouvernement.

De weduwen en weezen of naastbestaanden, die voor hun onderhoud van de gesneuvelden afhankelijk waren, van degenen, die bij de eene of andere expeditie sneuvelden, zullen aanspraak hebben op het dubbele van het aandeel in den bij die expeditie gemaakten buit, waartoe de gesneuvelde zou gerechtigd zijn geweest, indien hij niet gesneuveld ware.

De bevelvoerende officier van eene legerafdeeling zal met zijn Krijgsraad het recht hebben om in bijzondere gevallen, waarin het nemen van buit met buitengewoon gevaar gepaard zal gaan, te bepalen, dat dan de helft van den buit of zelfs de geheele buit zal toegekend worden aan degenen, die aan het nemen van denzelven een werkzaam aandeel zullen nemen, of dat een buitgemaakt paard of geweer het bijzondere eigendom zal zijn van een bepaalden persoon, die hetzelfde met buitengewone dapperheid of levensgevaar heeft vermeersterd.

*Eene complete lijst van allen buit met de verdeling*, zooals in dit artikel vermeld, wordt door den Commandant-Generaal met den Krijgsraad opgemaakt en eene *ware kopie* daarvan aan den Staatspresident en Uitvoeren den Raad gezonden, en alle beslissingen aangaande buit en de verdeling daarvan geschieden door Commandant-Generaal met den Krijgsraad.

Elke officier zal verplicht zijn de schade aan wagens en trekdieren, enz., in zijne divisie gedaan voor het commando uiteengaat bij den Krijgsraad in te leveren. Verdere schade na het commando uiteengegaan is, zullen de officieren bij den Commandant-Generaal inleveren, en de oorzaak daarvan bewijzen.

Elk burger, die op commando schade krijgt is gehouden dadelijk aan zijn Veldcornet daarvan kennis te geven en waarvan de Veldcornet behoorlijk zal boekhouden, terwijl van alle schade nadat het commando uit elkander gegaan is binnen eene maand aan den Veldcornet moet worden kennis gegeven in gebreke waarvan de schade niet zal worden uitbetaald.

De schadelijsten zullen door den Veldcornet zoo spoedig mogelijk ingediend worden bij den Commandant-Generaal.

52. Na den afloop van een commando zal de betrokken Commandant van het district, door tusschenkomst van den Veldkornet van den wijk, waaronder de gewonde sorteert, zorg dragen, dat aan de zwaar gekwetsten, de weduwen en weezen der gesneuvelden het hun toegewezen deel uit den buit toekome.

#### ALGEMEEN.

53. Degenen, die zich door dapperheid, moed en gedrag buitengewoon onderscheiden hebben, kunnen door den bevelvoerenden officier der legerafdeeling, waartoe zij behooren, aan den krijgsraad gerapporteerd worden en daarna aan den Staatspresident, met opgave van alle omstandigheden en bijzonderheden; deze zal de aldus gerapporteerden bij afzonderlijke kennisgeving eervol in de *Staatscourant* doen vermelden.

54. De Commandant-Generaal zal niet, dan wanneer hij bevindt dat zulks uiterst noodzakelijk is, zich in het gevecht mengen.

55. Met de in werking treding dezer wet zijn alle vroegere wetten en Volksraadsbesluiten, in strijd met deze wet, vervallen, met uitzondering van de wet, regende de verplichtingen tusschen de Zuid-Afrikaansche Republiek en den Oranje Vrijstaat, met betrekking tot wederzijdsche hulp.

56. Deze wet treedt in werking dadelijk na publicatie in de *Staatscourant*.

S. J. P. KRUGER,  
Staatspresident.

F. W. REITZ,  
Staatssecretaris.

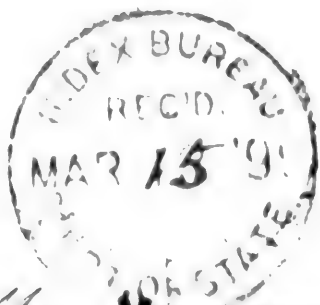
Gouvernementskantoor,  
Pretoria, 5 December 1898.



*Copy No. 22.*

*Consulate of the United States,*

**Pretoria, S.A.R., February 11th, 1899.**



*Mr. Macrum,*

*To the Department of State.*



*Subject:*

**Mr. van Ameringen's appointment as V-C.**

*Abstract of Contents.*

**Acknowledge despatch No. 16, re E.A. van Ameringen's appointment as Vice-Consul.-- I enclose Official Bond duly executed.**

*Consulate of the United States,*

Pretoria, S.A.R., February 11th, 1899.

*Honorable* David J. Hill,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

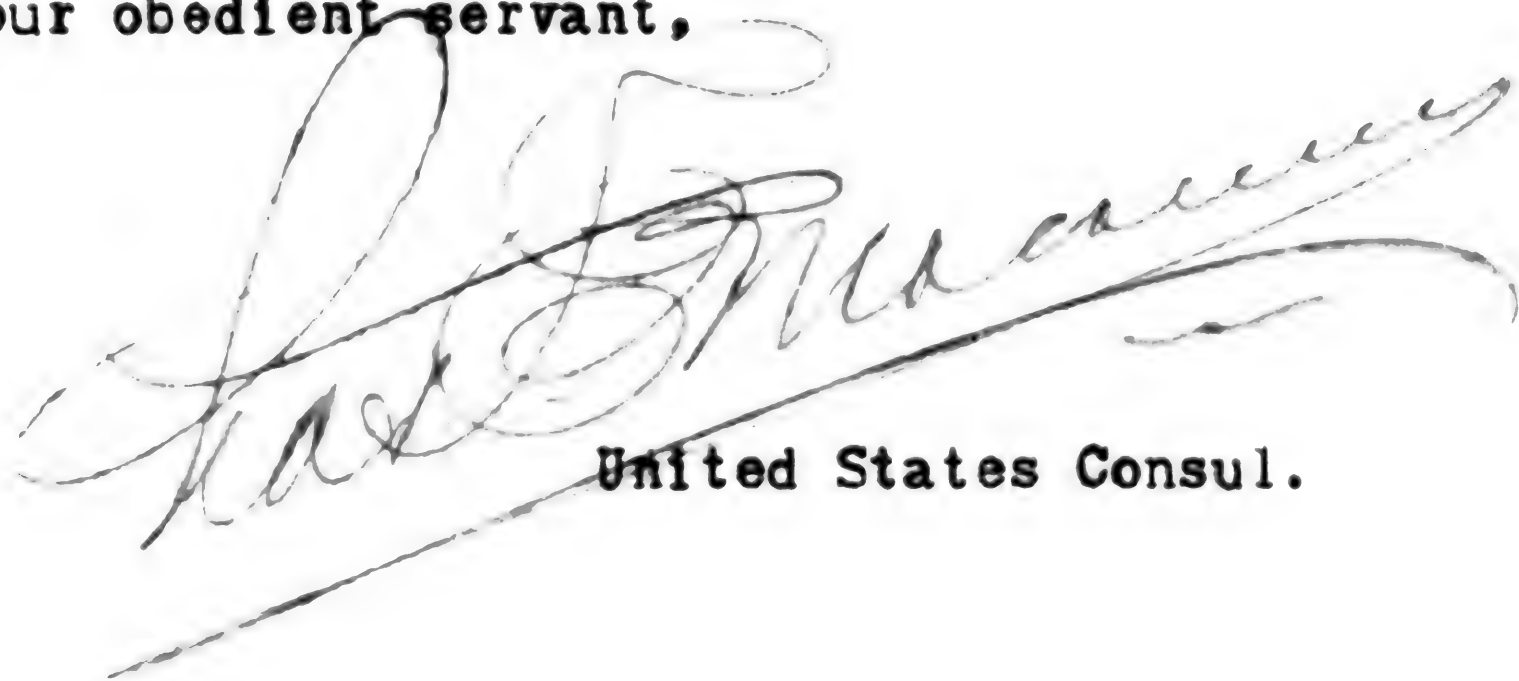
I have the honour to acknowledge the receipt of your despatch No. 16, under date of December 27th, 1898, advising me of the appointment of Mr. Emil A. van Ameringen to be Vice-Consul of the United States at Pretoria, and enclosing blank bond for execution.

I have also the honour to enclose herewith the said bond duly executed according to instructions, and to await the certificate of Mr. van Ameringen's appointment.

I have the honour to be,

Sir,

Your obedient servant,

A large, flowing handwritten signature in dark ink, likely of the United States Consul, is written over the typed name and title.

United States Consul.

Enclosure:

Official Bond.





Zuid-Afrikaansche Republiek.

# TRAKTAAT

TUSSCHEN

DE ZUID-AFRIKAANSCH E REPUBLIEK

EN

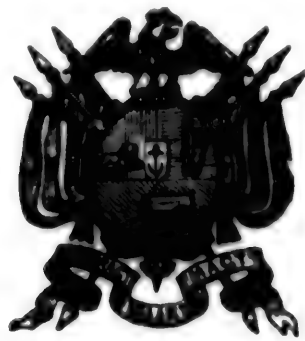
DE FRANSCH E REPUBLIEK.

Gesloten op 10 Juli 1885. — Ratificatiën uitgewisseld op 27 Juli 1887.

In werking getreden 27 Juli 1887. — Opzegbaar van af 27 Juli 1897.

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Gedrukt ter Staatsdrukkerij van de Zuid-Afrikaansche Republiek.  
Pretoria — 1898.



Zuid-Afrikaansche Republiek.

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TUSSCHEN

DE ZUID-AFRIKAANSCH E REPUBLIEK

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*Gesloten op 10 Juli 1885. — Ratificatiën uitgewisseld op 27 Juli 1887.*

*In werking getreden 27 Juli 1887. — Opzegbaar van af 27 Juli 1897.*

De Staatspresident van de Zuid-Afrikaansche Republiek en de President van de Fransche Republiek, bezielde met denzelfden wensch, om de betrekkingen van vriendschap en van koophandel tusschen beide landen te ontwikkelen, hebben besloten ten dien einde een traktaat te sluiten en hebben tot hunne gevolmachtigde benoemd, te weten :

De Staatspresident van de Zuid-Afrikaansche Republiek, de heer Beelaerts van Blokland, Minister-Resident van de Zuid-Afrikaansche Republiek te Parijs, etc., etc.;  
en de President van de Fransche Republiek, den heer C. de Freycinet, Senator, Minister van Buitenlandsche Zaken, etc., etc.;

die, na aan elkander hunne in goeden en behoorlijken vorm bevonden volmachten te hebben medegedeeld, de volgende artikelen hebben vastgesteld.

## Artikel 1.

De onderhoorigen van elk der beide contracteerende partijen zullen wederkeerig, evenals de burgers, en zonder eenig onderscheid van ras of van Godsdienst, de bevoegdheid hebben om te reizen, te verblijven of zich te vestigen overal waar zij zulks voor hunne belangen raadzaam zullen oordeelen; om elke soort van nijverheid of beroep uit te oefenen; om zich zoowel met groot- als met kleinhandel en met elke soort van handelsverrichtingen bezig te houden; om zelf hunne zaken te regelen en te besturen of zich te doen vervangen door behoorlijk gemachtigde personen, hetzij bij den koop of verkoop van hunne goederen, voorwerpen of koopwaren, hetzij bij hunne eigene verklaringen voor de tolkantoren; om de roerende of onroerende goederen, gelegen in eenige plaats welke ook van de betrokken landen te verkrijgen, te bezitten en over te dragen bij erfopvolging, testament, schenking of op welke andere wijze ook; alles zonder

Le Président de la République Française et le Président de la République Sud-Africaine, animés du même désir de développer les relations d'amitié et de commerce entre les deux pays, ont décidé de conclure un Traité à cet effet et ont nommé pour leurs plénipotentiaires, savoir :

Le Président de la République Française, Monsieur C. de Freycinet, Sénateur, Ministre des Affaires Etrangères, etc., etc., etc.;  
et le Président de la République Sud-Africaine, Monsieur Beelaerts van Blokland, Ministre-Resident de la République Sud-Africaine à Paris, etc., etc.;

lesquels, après s'être communiqué leurs pouvoirs, trouvés en bonne et due forme, ont arrêté les articles suivants :

## Article 1.

Les ressortissants de chacune des deux parties contractantes auront, réciproquement, comme les nationaux et sans aucune distinction de race ou de religion, la faculté de voyager, de résider ou de s'établir partout où ils le jugeront convenable pour leurs intérêts; d'exercer toute espèce d'industrie ou de métier; de faire le commerce tant en gros qu'en détail, et toute espèce d'opérations commerciales; de faire et administrer eux-mêmes leurs affaires ou de se faire suppléer par des personnes dûment autorisées, soit dans l'achat ou la vente de leurs biens, effets ou marchandises, soit dans leurs propres déclarations en douane; d'acquérir, posséder et transmettre par succession, testament, donation ou de quelque autre manière que ce soit, les biens, meubles ou immeubles situés dans quelque lieu que se soit des territoires respectifs; le tout sans qu'ils puissent être tenus à acquitter des droits autres ni plus élevés



dat zij verplicht kunnen worden om andere of hoogere rechten te betalen dan die, welke in gelijke gevallen aan burgers zelve mochten worden opgelegd.

Zij zullen genieten alle rechten of voordeelen, toegestaan aan de onderhoorigen van de meest begunstigde natie, met betrekking tot den krijgsdienst, hetzij bij het leger, hetzij bij de schutterij of milicie, de rechterlijke, administratieve of gemeentelijke ambten of bedieningen, de militaire requisitiën en praestatiën, de oorlogsbelastingen, voorschotten van belastingen, leeningen en heffingen, of andere buitengewone lasten van welken aard ook, die in een der beide landen wegens buitengewone omstandigheden mochten worden opgelegd.

Zij zullen vrijen en gemakkelijken toegang hebben tot de rechtbanken, zoowel voor de opvordering als voor de verdediging hunner rechten, en zij zullen ook in dit opzicht dezelfde rechten en voordeelen als de burgers zelve genieten.

Zij zullen volkomen vrijheid genieten om hunne Godsdienst uit te oefenen, welke die ook wezen moge, op voorwaarde van zich te onderwerpen aan de wetten van het land.

#### Artikel 2.

De voortbrengselen van den grond en van de nijverheid van Frankrijk of van zijne koloniën, die in de Zuid-Afrikaansche Republiek zullen worden ingevoerd, en de voortbrengselen van den grond of van de nijverheid van de Zuid-Afrikaansche Republiek, die in Frankrijk zullen worden ingevoerd, en die bestemd zullen zijn, hetzij voor binnenlandsch verbruik, hetzij voor opslag, hetzij voor wederuitvoer, zullen niet onderworpen zijn aan andere of hoogere rechten dan die, welke geheven zullen worden van dezelfde voortbrengselen van de meest begunstigde natie. Hetzelfde geldt van den uitvoer.

De beide contracteerende partijen waarborgen elkander wijders de behandeling van de meest begunstigde natie voor alles, wat betreft den doorvoer, de scheepvaart en den handel in het algemeen.

Evenwel wordt de bevoegdheid voorbehouden ten bate van de Zuid-Afrikaansche Republiek, om bijzondere voordeelen te handhaven of toe te kennen aan een of meer der aangrenzende Staten of koloniën, met het oog op de verleende of nog te verleenen begunstiging aan de onderhoorigen of de voortbrengselen van deze Staten of koloniën wegens het grensverkeer. Op deze voordeelen kan door Frankrijk geen aanspraak gemaakt worden, krachtens zijn recht van behandeling als de meest begunstigde natie, ten ware deze voordeelen uitgestrekt mochten worden tot eenigen niet aangrenzenden Staat, met name tot een van die Staten, waarvan de landen afhankelijk zijn of mochten worden, aan welke de genoemde voordeelen zijn of mochten worden toegekend; in dit laatste geval zouden zij onmiddellijk ten goede komen aan de Fransche onderhoorigen.

que ceux qui seraient imposés dans des cas semblables aux nationaux eux-mêmes.

Ils jouiront de tous les droits ou avantages accordés aux ressortissants de la nation la plus favorisée, en ce qui concerne le service militaire, soit dans l'armée, soit dans la garde ou la milice nationale, les charges ou emplois judiciaires, administratifs ou municipaux, les réquisitions et prestations militaires, les contributions de guerre, avances de contributions, prêts et emprunts ou autres contributions extraordinaires de quelque nature qu'elles soient, qui seraient établies dans l'un des deux pays par suite de circonstances exceptionnelles.

Ils auront un libre et facile accès auprès des Tribunaux de Justice, tant pour réclamer que pour défendre leurs droits, et jouiront, sous ce rapport, également des mêmes droits, et avantages que les nationaux eux-mêmes.

Ils jouiront d'une entière liberté pour l'exercice de leur religion, quelle qu'elle soit, à la condition de se soumettre aux lois du pays.

#### Article 2.

Les produits du sol et de l'industrie de la France ou de ses colonies qui seront importés dans la République Sud-Africaine et les produits du sol ou de l'industrie de la République Sud-Africaine qui seront importés en France et qui seront destinés soit à la consommation intérieure, soit à l'entrepôt ou à la réexpédition, ne seront pas soumis à des droits autres ou plus élevés que ceux qui seront perçus sur les mêmes produits de la nation la plus favorisée. Il en sera de même pour l'exportation.

Les deux parties contractantes se garantissent d'ailleurs, le traitement de la nation la plus favorisée pour tout ce qui concerne le transit, la navigation et le commerce en général.

Toutefois, il est fait réserve au profit de la République Sud-Africaine, de la faculté de maintenir ou de concéder des avantages particuliers à un ou plusieurs des états ou colonies limitrophes, en vue des facilités accordées ou à accorder aux ressortissants ou aux produits de ces états ou colonies pour le commerce frontière. Ces avantages ne pourront pas être réclamés par la France, comme conséquence de son droit au traitement de la nation la plus favorisée, à moins qu'ils ne viennent à être étendus à un état non-limitrophe, notamment à un de ceux dont relèvent ou relèveraient les pays auxquels les dits avantages ont été ou seraient accordés; dans ce dernier cas, le bénéfice en serait immédiatement acquis aux ressortissants français.



## Artikel 3.

De bepalingen der voorafgaande artikelen zijn toepasselijk op de landen of landstreken, waarmede de Zuid-Afrikaansche Republiek een toleenheid vormt of zal vormen.

## Artikel 4.

Elk der contracteerende partijen zal de bevoegdheid hebben om Consuls-Generaal, Consuls, Vice-Consuls of Consulaire Agenten aan te stellen op het grondgebied der andere partij. Evenwel, behouden zij zich het recht voor, om de plaatsen aan te wijzen, die zij raadzaam mochten achten daarvan uit te zonderen. Dit voorbehoud zal overigens niet kunnen worden toegepast op eene der contracteerende partijen, zonder dat het insgelijks voor alle andere Staten geldt.

De Consuls-Generaal, Consuls, Vice-Consuls en Consulaire Agenten zullen in functie treden, nadat zij, op vertoon van hunne aanstelling, het exequatur hebben verkregen, dat hun kosteloos zal worden uitgereikt, en naar de vormen in de wederzijdsche landen bepaald.

## Artikel 5.

De Consuls-Generaal, Consuls, Vice-Consuls en Consulaire Agenten, zoowel als hunne kanseliers, zullen in de beide Staten alle ontheffingen, voorrechten, vrijdommen, privilegiën en rechten van welken aard ook genieten, die zijn of zullen worden toegestaan aan de ambtenaren van denzelfden rang van de meest begunstigde natie.

## Artikel 6.

Het tegenwoordige tractaat is gesloten voor tien jaren, te rekenen van de uitwisseling der ratificatiën.

In geval geene der contracteerende partijen één jaar vóór het verstrijken van dien termijn het voornemen zal hebben kenbaar gemaakt, om de werking daarvan te doen ophouden, zal het traktaat van kracht blijven tot het verstrijken van één jaar, te rekenen van den dag waarop een der partijen het zal hebben opgezegd.

## Artikel 7.

Het tegenwoordige traktaat zal geratificeerd worden en de ratificatiën zullen te Parijs uitgewisseld worden, zoodra de formaliteiten zullen zijn vervuld, voorgeschreven door de constitutioneele wetten van de contracteerende Staten.

Ter oorkonde waarvan de wederzijdsche gevolmachtigden deze hebben onderteekend en van hun zegel voorzien.

Gedaan te Parijs in dubbel, den tienden Juli achttien honderd vijf en tachtig.

(Get.) BEELAERTS VAN BLOKLAND.  
» C. DE FREYCINET.

## Article 3.

Les dispositions des articles qui précèdent sont applicables aux pays ou territoires avec lesquels la République Sud-Africaine forme ou formera une union douanière.

## Article 4.

Chacune des parties contractantes aura la faculté d'établir des Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires sur le territoire de l'autre. Toutefois elles se réservent respectivement de désigner les localités qu'elles jugeraient convenables d'excepter. Cette réserve ne pourra, d'ailleurs, être appliquée à l'une des parties contractantes sans qu'elle le soit également à tous les autres états.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires entreront en fonctions après avoir, sur la présentation de leur brevet, obtenu l'exequatur qui leur sera délivré, sans frais, et suivant les formalités établies dans les pays respectifs.

## Article 5.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires, ainsi que les chanceliers, jouiront dans les deux états de toutes les exemptions, prérogatives, immunités, privilèges et droits, quelconques, qui sont ou seront accordés aux agents de la même qualité de la nation la plus favorisée.

## Article 6.

La présente convention est conclue pour dix années, à partir de l'échange des ratifications.

Dans le cas où aucune des parties contractantes n'aurait notifié, une année avant l'expiration de ce terme, son intention d'en faire cesser les effets, le traité continuera d'être obligatoire jusqu'à l'expiration d'une année, à compter du jour où l'une des parties l'aura dénoncé.

## Article 7.

Le présent traité sera ratifié et les ratifications en seront échangées à Paris aussitôt après l'accomplissement des formalités prescrites par les lois constitutionnelles des états contractants.

En foi de quoi, les plénipotentiaires respectifs l'ont signé et y ont apposé leurs cachets.

Fait en double expédition à Paris le dix Juillet, mil-huit-cent-quatre-vingt-cinq.

(L.S.) Signé C. DE FREYCINET.  
(L.S.) Signé BEELAERTS VAN BLOKLAND.



## VERKLARING.

De Regeering van de Zuid-Afrikaansche Republiek en de Regeering van de Fransche Republiek wenshende eene afdoende bescherming te verzekeren aan de voortbrengselen der nijverheid van de beide landen, zijn overeengekomen omtrent de volgende bepalingen, in afwachting van eene definitieve schikking.

Zoodra de Regeering van de Zuid-Afrikaansche Republiek de noodige maatregelen zal hebben genomen tot bescherming van de handels- en fabrieksmerken, de industrieele teekeningen of modellen, de etiketten der koopwaren en hare omslagen of verpakking, de handelsnamen en de octrooien van uitvinding, zullen de Fransche onderhoorigen te dien opzichte in de Zuid-Afrikaansche Republiek dezelfde waarborgen genieten als de burgers.

De onderhoorigen van de Zuid-Afrikaansche Republiek zullen in Frankrijk eveneens dezelfde bescherming als de burgers genieten op voorwaarde van wederkeerigheid.

Ter oorkonde waarvan de ondergeteekenden, behoorlijk te dien einde gemachtigd, de tegenwoordige verklaring hebben ongeteekend en van hun zegel voorzien.

Gedaan in dubbel, te Parijs, den tienden Juli achttien honderd vijf en tachtig.

(Get.) BEELAERTS VAN BLOKLAND.

» C. DE FREYCINET.

## DECLARATION.

Le Gouvernement de la République Française et le Gouvernement de la République Sud-Africaine désirent assurer aux productions industrielles des deux pays une protection efficace, sont convenus des dispositions suivantes, en attendant la conclusion d'un accord définitif.

Dès que le Gouvernement de la République Sud-Africaine aura pris les mesures nécessaires pour protéger les marques de fabriques et de commerce, les desseins ou modèles industriels, les étiquettes des marchandises et leurs enveloppes ou emballages, les noms commerciaux et les brevets d'invention, les ressortissants Français jouiront à cet égard, dans la République Sud-Africaine des mêmes garanties que les nationaux.

Les ressortissants de la République Sud-Africaine en France jouiront également de la même protection que les nationaux sous condition de réciprocité.

En foi de quoi les soussignés, dûment autorisés à cet effet, ont signé la présente déclaration et y ont apposé leur cachet.

Fait en double exemplaire à Paris le dix Juillet mil-huit-cent-quatre-vingt-cinq.

(Sig.) C. DE FREYCINET.

» BEELAERTS VAN BLOKLAND.



ZUID-AFRIKAANSCH REPUBLIEK.

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# TRACTAAT

TUSSEN

DE ZUID-AFRIKAANSCH REPUBLIEK

EN

DUITSCHLAND.

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GESLOTEN TE BERLIJN 22 JANUARI 1885.

RATIFICATIEN UITGEWISSELD 24 JUNI 1886.

IN WERKING GETREDEN 24 JULI 1886.

OPZEGBAAR JAARLIJKS VAN AF 24 JULI 1895.

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GEDRUKT TER STAATSDRUKKERIJ VAN DE Z. A. REPUBLIEK.

1897.



ZUID-AFRIKAANSCH REPUBLIEK.

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GEDRUKT TER STAATSDRUKKERIJ VAN DE Z. A. REPUBLIEK.

—  
1897.

# TRACTAAT

TUSSCHEN

## DE ZUID-AFRIKAANSCH E REPUBLIEK EN DUITSCHLAND.

GESLOTEN TE BERLIJN 22 JANUARI 1885. RATIFICATIEN UITGEWISSELD 24 JUNI 1886.

IN WERKING GETREDEN 24 JULI 1886. OPZEGBAAR JAARLIJKS VAN AF 24 JULI 1895.

ZHEd. de STAATSPRESIDENT van de Zuid-Afrikaansche Republiek eenerzijds en Zijne Majesteit de DUITSCHE KEIZER, Koning van Pruisen, in den naam van het Duitse Rijk aan de andere zijde, beziel met den wensch om de goede betrekkingen tusschen beide landen te bevorderen en te versterken, hebben besloten een Tractaat van Vriendschap en Handel te sluiten en hebben tot gevolmachtigden benoemd:

ZHEd. de STAATSPRESIDENT van de Zuid-Afrikaansche Republiek: Jonkheer GERARD BEELAERTS VAN BLOKLAND; Zijne Majesteit de DUITSCHE KEIZER, Koning van Pruisen: Hoogstdezelfs Buitengewonen Gezant en Gevolmachtigden Minister bij het Koninklijk Nederlandsch Hof, den Raad van Legatie en Majoor à la Suite van het Leger, Graaf HERBERT VON BISMARCK-SCHÖNHAUSEN, en Hoogstdezelfs Geheimen Raad van Legatie OTTO HELLWIG, die na wederkeerige mededeeling van hunne in goeden en behoorlijken vorm bevonden volmachten, het volgende tractaat hebben gesloten:

### ARTIKEL I.

Er zal voortdurend vrede en vriendschap bestaan tusschen het Duitse Rijk en de Zuid-Afrikaansche Republiek en vrijheid van handel tusschen de onderhoorigen der beide landen.

De onderhoorigen van elke der contracterende partijen zullen op het grondgebied der andere partij ten opzichte van de uitoefening van hunnen Godsdienst, alsmede met betrekking tot het drijven van handel en nering dezelfde rechten, privilegiën en voordeelen van allerlei aard genieten als aan de burgers toekomen of zullen toekomen, en zij zullen aan geen andere of moeilijker algemeene of plaatselijke vorderingen, heffingen, beperkingen of verplichtingen, van

Seine Excellenz der STAATSPRÄSIDENT der Südafrikanischen Republik, einerseits, und Seine Majestät der DEUTSCHE KAISER, König von Preussen, im Namen des Deutschen Reichs, andererseits, von dem Wunsche geleitet, die Beziehungen zwischen beiden Ländern zu fördern und zu befestigen, haben beschlossen, einen Freundschafts- und Handelsvertrag abzuschliessen und zu Bevollmächtigten ernannt:..

Seine Excellenz der STAATSPRÄSIDENT der Südafrikanischen Republik den Jonkheer GERARD BEELAERTS VAN BLOKLAND, Seine Majestät der DEUTSCHE KAISER, König von Preussen, Allerhöchstihren ausserordentlichen Gesandten und bevollmächtigten Minister am Königlich Niederländischen Hofe, Legations Rath und Major à la suite der Armee, Grafen HERBERT VON BISMARCK-SCHÖNHAUSEN, und Allerhöchstihren Geheimen Legations Rath OTTO HELLWIG, welche, nach gegenseitiger Mittheilung ihrer in guter und gehöriger Form befundenen Vollmachten, den folgenden Vertrag abgeschlossen haben:

### ARTIKEL I.

Zwischen dem Deutschen Reiche und der Südafrikanischen Republik soll fortdauernd Friede und Freundschaft und zwischen den Angehörigen der beiden Länder Freiheit des Handels bestehen.

Die Angehörigen eines jeden der vertragschliessenden Theile sollen in dem Gebiete des anderen hinsichtlich der Ausübung ihrer Religion, sowie in Bezug auf Handel und Gewerbebetrieb dieselben Rechte, Privilegien und Begünstigungen aller Art geniessen, welche den Inländern zustehen oder zustehen werden, und keinen anderen oder lästigeren allgemeinen oder örtlichen Abgaben, Auflagen, Beschränkungen oder Verpflichtungen irgend welcher



welken aard ook, onderworpen zijn als aan die waaraan de onderhoorigen van de meest begunstigde natie onderworpen zijn of onderworpen zullen worden.

#### ARTIKEL 2.

De onderhoorigen van elk der contracteerende partijen zullen op het grondgebied der andere partij gelijke bevoegdheid hebben als de burgers om hunne woonplaatsen te kiezen, te reizen, groot- en kleinhandel te drijven, elke soort van roerende of onroerende goederen te bezitten, door koop, ruil, schenking, uiterstewilsbeschikking of op andere wijze zulke goederen te verkrijgen en daarover te beschikken, als ook nalatenschappen te verkrijgen krachtens de wet. Ook zullen zij in geen dezer gevallen aan andere of hoogere vorderingen en heffingen als de burgers onderworpen zijn.

#### ARTIKEL 3.

De Duitschers in de Zuid-Afrikaansche Republiek en de onderhoorigen der Zuid-Afrikaansche Republiek in Duitschland zullen volle vrijheid hebben, evenals de burgers, om hunne zaken, hetzij persoonlijk, hetzij door agenten van hunne eigene keus te regelen, zonder verplicht te zijn daarvoor aan bevoorrechte personen of corporatiën eene vergoeding of schadeloosstelling te betalen, die niet ook door de burgers zelven zou moeten betaald worden. Zij zullen vrijen toegang tot de Gerechtshoven hebben en voor de opvordering en verdediging hunner rechten alle vrijdommen en voorrechten van de burgers genieten.

#### ARTIKEL 4.

Aandeelmaatschappijen en andere maatschappijen van koophandel, nijverheid of geldzaken, die op het grondgebied van eene der contracteerende partijen overeenkomstig de bepalingen van de daar geldende wet zijn opgericht, zullen bevoegd zijn op het grondgebied van de andere partij alle rechten uit te oefenen, die aan soortgelijke maatschappijen van de meestbegunstigde natie toekomen.

#### ARTIKEL 5.

De onderhoorigen van elk der beide contracteerende partijen zullen op het grondgebied van de andere met betrekking tot den krijgsdienst, zoowel bij het geregelde leger als bij de milizie en schutterij, alsmede met betrekking tot elken ambtsdienst van gerechtelijken, administratieven of plaatselijken aard, met betrekking tot alle militaire requisitiën en praestatiën, als ook met betrekking tot gedwongen leeningen en andere lasten, die tot oorlogsdoeleinden of ten gevolge van andere buitengewone omstandigheden opgelegd worden, dezelfde rechten

Art onderliegen, als denjenigen, welchen die Angehörigen der meistbegünstigten Nation unterworfen sind oder unterworfen sein werden.

#### ARTIKEL 2.

Die Angehörigen eines jeden der vertragschliessenden Theile sollen in dem Gebiete des anderen gleich den Inländern berechtigt sein, ihren Wohnsitz zu nehmen, zu reisen, Grosz- und Kleinhandel zu treiben, jede Art von beweglichem oder unbeweglichem Vermögen zu besitzen, durch Kaufvertrag, Tausch, Schenkung, letzten Willen oder auf andere Weise solches Vermögen zu erwerben und darüber zu verfügen, sowie Erbschaften kraft Gesetzes zu erwerben. Auch sollen sie in keinem dieser Fälle anderen oder höheren Abgaben und Auflagen unterliegen, als die Inländer.

#### ARTIKEL 3.

Die Deutschen in der Südafrikanischen Republik, und die Angehörigen der Südafrikanischen Republik in Deutschland, sollen volle Freiheit haben, wie die Inländer ihre Geschäfte entweder in Person oder durch einen Agenten ihrer eigenen Wahl zu regeln, ohne verpflichtet zu sein, hierfür bevorrechtigten Einzelnen oder Körperschaften eine Vergütung oder Schadloshaltung zu zahlen, welche nicht auch von den Inländern selbst zu zahlen wäre.

Sie sollen freien Zutritt zu den Gerichten haben und hinsichtlich der Verfolgung und Vertheidigung ihrer Rechte alle Befreiungen und Vorrechte der Inländer genießen.

#### ARTIKEL 4.

Aktiengesellschaften und sonstige kommerzielle, industrielle oder finanzielle Gesellschaften, welche in dem Gebiete des einen der vertragschliessenden Theile nach Maszgabe der dort geltenden Gesetze errichtet sind, sollen in dem Gebiete des anderen Theils alle Rechte auszuüben befugt sein, welche den gleichartigen Gesellschaften der meistbegünstigten Nation zu stehen.

#### ARTIKEL 5.

Die Angehörigen jedes der beiden vertragschliessenden Theile werden auf dem Gebiete des anderen hinsichtlich des Militärdienstes, sowohl in der regulären Armee, als in der Miliz und Nationalgarde, sowie hinsichtlich jedes Amtsdienstes gerichtlicher, administrativer oder munizipaler Art, hinsichtlich aller militärischen Requisitionen und Leistungen, sowie in Bezug auf Zwangsanleihen und sonstige Lasten welche zu Kriegszwecken oder in Folge anderer aussergewöhnlicher Umstände aufgelegt werden, dieselben Rechte genießen, wie die



genieten als de onderhoorigen van de meest begunstigde natie.

Zij mogen noch persoonlijk, noch ten opzichte van hun roerend en onroerend goed aan andere verplichtingen, beperkingen, belastingen of vorderingen onderworpen worden als aan die waaraan de burgers onderworpen zullen zijn.

#### ARTIKEL 6.

De contracteerende partijen zullen, zoodra in de Zuid-Afrikaansche Republiek de bescherming van modellen, monsters, fabriek- of handelsmerken, alsook van opschriften of etiketten van waren of van verpakking daarvan, overeenkomstig de daarvoor algemeen aangenomene grondregelen bij de wet zal geregeld zijn, door eene overeenkomst of door het uitwisselen van verklaringen de formaliteiten vaststellen van welke nakoming het genot der bedoelde van de eene en de andere partij aan zijne onderhoorigen toegekende rechten afhankelijk zal zijn.

#### ARTIKEL 7.

Geen verbod van invoer, uitvoer of doorvoer kan door eene der contracteerende partijen tegenover de andere worden uitgevaardigd, hetwelk niet, hetzij gelijktijdig op alle of althans onder gelijke omstandigheden, ook op andere natien toepasselijk is.

Ten opzichte van den in- en uitvoer der waren, den doorvoer of het tolplichtig depôt, de te betalen tolheffingen van welken aard zij ook wezen mogen en de tolformaliteiten van allerlei aard verbindt zich elk der contracteerende partijen om de andere partij zonder uitstel en onverwijld te doen deelen in elke begunstiging, elk voorrecht of elke verlaging van de in- of uitvoerrechten, alsook in elken anderen vrijdom of concessie, welke zij aan eene derde macht ingewilligd heeft of zal inwilligen.

Op begunstigingen, die eene der beide contracteerende partijen aan onmiddellijk aangrenzende Staten of Koloniën tot het gemakkelijk maken van het grensverkeer verleend heeft of zoude verleenen, kan de andere partij geen aanspraak maken, zoolang deze begunstigingen ook aan alle overige niet aangrenzende Staten of Koloniën onthouden zijn. Onder laatstgenoemde Staten is ook verstaan de niet-aangrenzende beschermingsstaat eener Kolonie, aan welke begunstigingen van de vermelde soort worden verleend.

#### ARTIKEL 8.

Elke der contracteerende partijen kan in de handelsplaatsen van het gebied der andere partij Consuls-Generaal, Consuls, Vice-Consuls of Consulaire Agenten aanstellen.

Angehörigen der meestbegünstigten Nation. Sie dürfen weder persönlich noch in Bezug auf ihre beweglichen und unbeweglichen Güter zu anderen Verpflichtungen, Beschränkungen, Taxen oder Abgaben gehalten werden, als denjenigen, welchen die Inländer unterworfen sein werden.

#### ARTIKEL 6.

Die vertragschliessenden Theile werden, sobald in der Südafrikanischen Republik der Schutz der Modelle, Muster, Fabrik- oder Handelszeichen, sowie der Bezeichnung oder Etikettirung der Waaren oder ihrer Verpackung nach Maszgabe der in dieser Beziehung allgemein angenommenen Grundsätze durch Gesetz geregelt sein wird, durch ein Abkommen oder durch Austausch von Erklärungen die Förmlichkeiten festsetzen, von deren Erfüllung der Genuss der bezüglichen, von dem einen und anderen Theil seinen Angehörigen eingeräumten Rechte abhängig sein wird.

#### ARTIKEL 7.

Kein Einfuhr, Ausfuhr, oder Durchfuhrverbot darf von einem der vertragschliessenden Theile dem anderen gegenüber erlassen werden, welches nicht entweder gleichzeitig auf alle oder doch unter gleichen Voraussetzungen auch auf andere Nationen Anwendung findet.

Hinsichtlich der Ein- und Ausfuhr der Waaren, ihrer Durchfuhr oder zollamtlichen Niederlage, der zu zahlenden Zölle, welcher Art sie seien, und der Zollförmlichkeiten jeder Art verpflichtet sich jeder der vertragschliessenden Theile, den anderen unverzüglich und ohne Weiteres an jeder Begünstigung, jedem Vorrecht oder jeder Herabsetzung in den Eingangs- und Ausgangsabgaben, sowie jeder anderen Befreiung oder Konzession, theilnehmen zu lassen, welche er einer dritten Macht eingeräumt hat oder einräumen wird. Begünstigungen, welche einer der beiden vertragschliessenden Theile unmittelbar angrenzenden Staaten oder Kolonien zur Erleichterung des Grenzverkehrs gewährt hat oder gewähren sollte, können von dem anderen Theile nicht in Anspruch genommen werden, so lange diese Begünstigungen auch allen übrigen nicht angrenzenden Staaten und Kolonien vorenthalten werden. Zu den letzteren Staaten ist auch der nicht angrenzende Schutzstaat einer Kolonie, welcher Begünstigungen der bezeichneten Art gewährt werden, zu rechnen.

#### ARTIKEL 8.

Jeder der vertragschliessenden Theile kann in den Handelsplätzen des Gebietes des anderen Theils General Konsuln, Konsuln, Vize Konsuln oder Konsular Agenten bestel-

De aanstelling van Consulaire Agenten kan door de Consuls-Generaal, Consuls en Vice-Consuls geschieden, voor zoover deze daartoe bevoegd zijn volgens de wetgeving van den Staat die hen benoemd heeft.

Beide partijen behouden zich het recht voor op enkele plaatsen geene consulaire ambtenaren toe te laten. Daarbij wordt intusschen ondersteld, dat dit voorbehoud op alle mogendheden gelijkelyk wordt toegepast.

De Consuls-Generaal, Consuls, Vice-Consuls en Consulaire Agenten kunnen uit onderhoorigen van beide landen of van andere Staten gekozen worden. Zij vangen hunne werkzaamheid aan, zoodra zij door de Regeering van het land, waarin aan hen hun zetel is aangewezen in de daar gebruikelijke vormen zijn toegelaten en erkend.

Het exequatur zal hun kosteloos verleend worden. Beide partijen behouden zich het recht voor het exequatur, onder mededeeling van redenen weder in te trekken.

Van elke verandering in den amtskring der Consuls wordt de Regeering van den Staat in welken zij hun zetel hebben, in kennis gesteld.

#### ARTIKEL 9.

De Consuls-Generaal, Consuls, Vice-Consuls en hunne Kancelliers of Secretarissen, alsmede de Consulaire Agenten, die onderhoorigen zijn van den Staat die hen benoemd heeft, zullen vrij zijn van de inkwartiering van krijgslieden en van de krijgslasten in het algemeen, en van de directe personeele-, meubilaire- en weeldebelastingen; hetzij deze door den Staat of door de gemeenten geheven worden, ten ware zij grondbezit hebben, handel drijven of eenige nering doen, in welke gevallen zij aan dezelfde heffingen, lasten en belastingen onderworpen zullen zijn die de overige inwoners van het land als grondeigenaars, kooplieden of neringdoenden op te brengen hebben.

Zij mogen noch in hechtenis, noch gevangen genomen worden, behalve voor handelingen die de strafwetgeving van den Staat, waarin zij hun zetel hebben, als misdaden kenmerkt en straft.

#### ARTIKEL 10.

De Consuls-Generaal, Consuls, Vice-Consuls en hunne Kancelliers of Secretarissen, alsmede de Consulaire Agenten, zijn gehouden voor den rechter getuigenis af te leggen, wanneer de rechters van het land dit noodig oordeelen. In dat geval echter zal de rechterlijke overheid hen bij ambtelyk schrijven verzoeken voor haar te verschijnen.

In geval van verhindering der bedoelde ambtenaren, zal, wanneer zij onderhoorigen zijn van den Staat, die hen benoemd heeft, de rechterlijke overheid zich, om hen mon-

len. Die Bestellung von Konsular Agenten kann durch die General Konsuln, Konsuln und Vize Konsuln erfolgen, sofern diese nach der Gesetzgebung des Staates, welcher sie ernannt hat, dazu befugt sind.

Beide Theile behalten sich das Recht vor, die Zulassung von Konsular Beamten für einzelne Orte auszuschliessen. Dabei wird jedoch vorausgesetzt, dass dieser Vorbehalt gleichmässig allen Mächten gegenüber Anwendung findet.

Die General Konsuln, Konsuln, Vize-Konsuln und Konsular Agenten können aus Angehörigen beider Länder oder dritter Staaten gewählt werden. Sie treten ihre Thätigkeit an, sobald sie von der Regierung des Landes in welchem ihnen ihr Amtssitz angewiesen ist, in den dort üblichen Formen zugelassen und anerkannt worden sind.

Das Exequatur soll ihnen kostenfrei ertheilt werden. Beide Theile behalten sich das Recht vor, das Exequatur, unter Mittheilung der Beweggründe, wieder zurückzuziehen.

Von jeder Aenderung der Amtsbezirke der Konsuln wird die Regierung des Staats, in welchem sie ihren Amtssitz haben, in Kenntniz gesetzt werden.

#### ARTIKEL 9.

Die General Konsuln, Konsuln, Vize-Konsuln und ihre Kanzler oder Sekretäre, sowie die Konsular Agenten, welche Angehörige des Staates sind, der sie ernannt hat, sollen von der Militäreinquartierung und den Militärlasten überhaupt, von den direkten «Personal-Mobilier» und Luxussteuern befreit sein, mögen solche vom Staat oder von den Gemeinden auferlegt sein, es sei denn, dass sie Grundbesitz haben, Handel oder irgend ein Gewerbe betreiben, in welchen Fällen sie denselben Taxen, Lasten und Steuern unterworfen sein sollen, welche die sonstigen Einwohner des Landes als Grundeigenthümer, Kaufleute oder Gewerbetreibende zu entrichten haben.

Sie dürfen weder verhaftet noch gefänglich eingezogen werden, ausgenommen für Handlungen, welche die Strafgesetzgebung des Staates in welchem sie ihren Amtssitz haben, als Verbrechen bezeichnet und bestraft.

#### ARTIKEL 10.

Die General Konsuln, Konsuln, Vize-Konsuln und ihre Kanzler oder Sekretäre, sowie die Konsular Agenten sind verbunden, vor Gericht Zeugnis abzugeben, wenn die Landesgerichte solches für erforderlich halten doch soll die Gerichtsbehörde in diesem Falle sie mittelst amtlichen Schreibens ersuchen, vor ihr zu erscheinen.

Für den Fall der Behinderung der gedachten Beamten soll, wenn dieselben Angehörige des Staates sind, welcher sie ernannt hat, die Gerichtsbehörde sich, um sie münd-



deling te hooren, in hunne woning begeven, of hen verzoeken schriftelijk getuigenis af te leggen. In het laatste geval hebben de ambtenaren aan het verlangen der overheid onverwijld te voldoen en haar hunne verklaringen, voorzien van hunne onderteekening en hun ambtszegel over te maken.

#### ARTIKEL 11.

De Consuls-Generaal, Consuls, Vice-Consuls en Consulaire Agenten mogen aan het Consulaatsgebouw het wapen bevestigen van den Staat, die hen benoemd heeft, met het opschrift «Consulaat-Generaal», «Consulaat», «Vice-Consulaat», of «Consulair Agentschap van.....» en zij mogen de vlag van hun land aan het Consulaatsgebouw uitsteken.

Het spreekt van zelf dat deze uiterlijke teekenen nooit zóó opgevat kunnen worden alsof zij een asylrecht vestigen,

#### ARTIKEL 12.

De Consulaire Archieven zijn ten allen tijde onschendbaar, en de overheid van het land mag onder geen voorwendsel en in geen geval de tot het archief behorende dienstpapieren inzien of daarop beslag leggen. De dienstpapieren moeten steeds voldoende afgezonderd zijn van de boeken en papieren betrekking hebbende op de handelszaak of het bedrijf van den consulairen ambtenaar. De ambtelijke vertrekken en woningen van de *consules missi*, die onderhoorigen zijn van den Staat, die hen benoemd heeft, zullen ten allen tijde onschendbaar zijn.

De overheid van het land zal, voor zoover het geene vervolging van misdaden betreft, zonder toestemming des Consuls, geene ambtelijke handeling aldaar verrichten.

De aldaar aanwezige papieren en boeken mogen in geen geval onderzocht of in beslag genomen worden.

#### ARTIKEL 13.

In gevallen van verhindering, afwezigheid of overlijden van Consuls-Generaal, Consuls of Vice-Consuls, zullen de Kanseliers en Secretarissen, voor zoover zij als zoodanig bekend gemaakt zijn, aan de Regeering van den Staat in welken zij hun zetel hebben, van rechtswege bevoegd zijn inmiddels de consulaire ambtsbevoegdheden uit te oefenen, en zij zullen gedurende dezen tijd de vrijdommen en privilegiën genieten, die volgens dit tractaat daaraan verbonden zijn.

#### ARTIKEL 14.

De Consuls-Generaal, Consuls en Vice-Consuls of Consulaire Agenten, kunnen bij de uitoefening der hun verleende ambtelijke bevoegdheden zich wenden tot de autoriteiten in hun ressort, om bezwaar te maken

lich zu vernehmen, in ihre Wohnung begeben oder sie um schriftliche Abgabe ihres Zeugnisses ersuchen. Im letzteren Falle haben die Beamten dem Verlangen der Behörde ohne Verzug zu entsprechen und derselben ihre Aussage mit ihrer Unterschrift und ihrem amtlichem Siegel versehen zuzustellen.

#### ARTIKEL 11.

Die General Konsuln, Konsuln, Vize-Konsuln und Konsular Agenten, können an dem Konsulatsgebäude das Wappen des Staates, welcher sie ernannt hat, mit der Umschrift: . . . General Konsulat, Konsulat, Vize Konsulat oder Konsular Agentur von . . . anbringen und ihre Landesflagge auf dem Konsulatsgebäude aufziehen. Es versteht sich von selbst, dass diese äusseren Abzeichen niemals so aufgefasst werden dürfen, als begründeten sie ein Asylrecht.

#### ARTIKEL 12.

Die Konsulatarchive sind jeder Zeit unverletzlich und die Landesbehörden dürfen unter keinem Vorwande und in keinem Falle die zu den Archiven gehörigen Dienstpapiere einsehen oder mit Beschlag belegen. Die Dienstpapiere müssen stets von den das etwaige Kaufmännische Geschäft oder Gewerbe des Konsular Beamten betreffenden Büchern und Papieren vollständig gesondert sein. Die Amtsräume und Wohnungen der Berufs Konsuln, welche Angehörige des Staates sind, der sie ernannt hat, sollen jederzeit unverletzlich sein. Die Landesbehörden sollen, soweit es sich nicht um Verfolgung von Verbrechen handelt, ohne Zustimmung des Consuls keine Amtshandlung dort vornehmen. Die daselbst niedergelegten Papiere und Bücher dürfen in keinem Falle durchsucht oder mit Beschlag belegt werden.

#### ARTIKEL 13.

In Fällen der Behinderung Abwesenheit oder des Todes von General Konsuln, Konsuln oder Vize Konsuln, sollen die Kanzler und Sekretäre, in soweit sie als solche der Regierung des Staates, in welchem sie ihren Amtssitz haben, namhaft gemacht worden sind, von Rechtswegen befugt sein, einstweilen die konsularischen Amtsbefugnisse auszuüben, und sie sollen während dieser Zeit die Freiheiten und Privilegien genießen, welche nach diesem Vertrage damit verbunden sind.

#### ARTIKEL 14.

Die General Konsuln, Konsuln und Vize Konsuln oder Konsular Agenten können in Ausübung der ihnen zuertheilten Amtsbefugnisse sich an die Behörden ihres Amtsbezirks wenden, um gegen jede Verletzung

tegen elke schending van de tusschen beide partijen bestaande tractaten of overeenkomsten en tegen elke benadeeling van de onderhoorigen van den Staat, die hen benoemd heeft. Indien op hunne vertoogen door deze autoriteiten geen acht geslagen wordt, kunnen zij bij gemis van een diplomatieken vertegenwoordiger van den genoemden Staat, zich wenden tot de algemeene Regeering van het land, waar zij hun zetel hebben.

#### ARTIKEL 15.

De Consuls-Generaal, Consuls, Vice-Consuls en hunne Kanseliers, alsook de Consulaire Agenten, hebben het recht, zoowel in hunne kanselarij alsook in de woning der betrokkenen zoodanige verklaringen te ontvangen als de reizigers, handeldrijvenden en alle andere onderhoorigen van den Staat, die hen benoemd heeft, hebben te geven. Zij kunnen bovendien, voor zoover zij naar de wetten van dien Staat daartoe bevoegd zijn, alle uiterste wilsbeschikkingen van onderhoorigen van dien Staat ontvangen en opmaken.

Op gelijken voet kunnen zij alle andere akten authentiek opmaken waarbij deze onderhoorigen, hetzij alleen, hetzij gemeenschappelijk met onderhoorigen of andere inwoners van het land, waarin zij hun ambtsetel hebben, betrokken zijn.

Tot het authentiek opmaken van akten, waarbij uitsluitend onderhoorigen van den Staat, waarin de consulaire ambtenaren hun zetel hebben, of die van een derden Staat betrokken zijn, zijn deze ambtenaren overeenkomstig de wetten van den Staat, die hen benoemd heeft, dan bevoegd wanneer die akten uitsluitend betreffen roerende of onroerende goederen die zich in dien Staat bevinden, of aangelegenheden die aldaar beslist moeten worden. De consulaire ambtenaren kunnen ook elke soort van bescheiden en van stukken uitgegaan van autoriteiten of ambtenaren van den Staat, die hen benoemd heeft, vertalen en legaliseeren.

Alle bovengemelde akten, alsmede de afschriften, uittreksels of vertalingen van zulke akten zullen, wanneer zij door de bedoelde consulaire ambtenaren behoorlijk zijn gelegaliseerd en met het consulaire ambtszegel voorzien, in elk der beide Staten dezelfde kracht en werking hebben alsof zij door een notaris of anderen openbaren of gerechtelijken in den eenen of den anderen der beide Staten bevoegden ambtenaar opgesteld waren, met dien verstande, dat zij onderworpen zijn aan het zegel, de registratie of elke andere in den Staat, waarin zij uitgevoerd moeten worden, bestaande belasting of heffing.

der zwischen beiden Theilen bestehenden Verträge oder Vereinbarungen, um gegen jede den Angehörigen des Staates, welcher sie ernannt hat, zur Beschwerde gereichende Beeinträchtigung Einspruch zu erheben. Wenn ihre Vorstellungen von diesen Behörden nicht berücksichtigt werden, so können sie, in Ermangelung eines diplomatischen Vertreters des genannten Staates, sich an die Centralregierung des Landes wenden, in welchem sie ihren Amtssitz haben.

#### ARTIKEL 15.

Die General Konsuln, Konsuln, Vize Konsuln und ihre Kanzler, sowie die Konsular Agenten haben das Recht, sowohl in ihrer Kanzlei, als auch in der Wohnung der Beteiligten diejenigen Erklärungen aufzunehmen, welche die Reisenden, Handeltreibenden und alle sonstigen Angehörigen des Staates, der sie ernannt hat, abzugeben haben. Sie können ausserdem, soweit sie nach den Gesetzen dieses Staates dazu ermächtigt sind, alle letztwilligen Verfügungen von Angehörigen dieses Staates aufnehmen und beurkunden.

In gleicher Weise können sie alle anderen Rechts-handlungen aufnehmen und beurkunden, bei welchen diese Angehörigen, sei es allein, sei es gemeinschaftlich mit Angehörigen oder sonstigen Einwohnern des Landes, in welchem sie ihren Amtssitz haben, betheiligt sind.

Zur Aufnahme und Beurkundung von Rechts-handlungen, an welchen ausschliesslich Angehörige des Staates, in welchem die Konsularbeamten ihren Amtssitz haben, oder eines dritten Staates betheiligt sind, sind diese Beamten nach Maszgabe der Gesetze des Staates, welcher sie ernannt hat, dann befugt, wenn die Rechts-handlungen bewegliche oder unbewegliche Gegenstände, welche sich in diesem Staate befinden, oder Angelegenheiten, welche daselbst zur Erledigung kommen sollen, ausschliesslich betreffen. Die Konsularbeamten können auch jede Art, von Verhandlungen und Schriftstücken, welche von Behörden oder Beamten des Staates, welcher sie ernannt hat, ausgegangen sind, übersetzen und beglaubigen.

Alle vorerwähnten Urkunden, sowie die Abschriften, Auszüge oder Uebersetzungen solcher Urkunden sollen, wenn sie durch die gedachten Konsularbeamten vorschriftsmässig beglaubigt und mit dem Amtssiegel der Konsularbehörde versehen sind, in jedem der beiden Staaten dieselbe Kraft und Geltung haben, als wenn sie vor einem Notar oder anderen öffentlichen oder gerichtlichen, in dem einen oder dem anderen der beiden Staaten zuständigen Beamten aufgenommen wären, mit der Maszgabe, dass sie dem Stempel, der Registrirung oder jeder anderen in dem Staate, in welchem sie zur Ausführung gelangen sollen, bestehenden Taxe oder Auflage unterworfen sind.



Wanneer twijfel ontstaat over de nauwkeurigheid of de echtheid der afschriften, nittreksels of vertalingen, moet de consulaire ambtenaar voor de bevoegde macht van het land, op haar verlangen, het oorspronkelijke stuk ter vergelijking beschikbaar stellen.

## ARTIKEL 15.

De Consuls-Generaal, Consuls en Vice-Consuls van het Duitsche Rijk in de Zuid-Afrikaansche Republiek, hebben, voor zoover zij door hunne Regeering daartoe gemachtigd zijn, het recht aldaar burgerlijk geldige huwelijken van onderhoorigen van het Duitsche Rijk, overeenkomstig de wetten van dat Rijk, te sluiten, alsmede akten van geboorten, van huwelijken en van overlijden van die onderhoorigen op te maken.

## ARTIKEL 17.

Sterft een Duitscher in de Zuid-Afrikaansche Republiek, of een onderhoorige van de Zuid-Afrikaansche Republiek in Deutschland, op eene plaats waar een Consul-Generaal, Consul, Vice-Consul of Consulaire Agent van den Staat waartoe de gestorvene behoorde, zijn zetel heeft, of in de nabijheid van zoodanige plaats, dan heeft de bevoegde plaatselijke autoriteit daarvan onverwijld kennis te geven aan den consulairen ambtenaar.

Insgelijks heeft de consulaire ambtenaar, indien hij het eerst van een sterfgeval kennis krijgt, aan de plaatselijke autoriteit daarvan mededeeling te doen.

De consulaire ambtenaar heeft het recht van ambtswege of op verzoek der betrokkenen alle voorwerpen, die tot eene nalatenschap behoren, te verzegelen, nadat hij van deze ambtsverrichting kennis heeft gegeven aan de bevoegde plaatselijke autoriteit, die daarbij kan tegenwoordig zijn en mede hantzijds kan verzegelen.

Is er van beide zijden verzegeld, zoo kan er zonder medewerking van de plaatselijke autoriteit niet ontzegeld worden.

Indien echter laatstgenoemde na eene door den consulairen ambtenaar aan haar gericht uitnoodiging om de opheffing der van beide zijden gelegde zegels bij te wonen, niet verschijnt binnen 48 uren, berekend van de ontvangst der uitnoodiging, dan kan de consulaire ambtenaar alleen tot de ontzegeling overgaan.

De consulaire ambtenaar heeft na de ontzegeling een inventaris van alle voorwerpen der nalatenschap te maken en wel in tegenwoordigheid der plaatselijke autoriteit, indien deze krachtens bovengemelde uitnoodiging bij de ontzegeling tegenwoordig is.

De plaatselijke autoriteit zal de in hare tegenwoordigheid gestelde protocollen met hare medeondertekening voorzien, zonder dat zij voor hare ambtelijke medewerking tot deze verrichtingen eenigerlei onkosten hoegenaamd mag in rekening brengen.

Wenn gegen die Genauigkeit oder die Echtheit der Abschriften, Auszüge oder Uebersetzungen Zweifel erhoben werden, so soll die Konsularbehörde der zuständigen Landesbehörde auf Verlangen die Urschrift behufs Vergleichung zur Verfügung stellen.

## ARTIKEL 16.

Die General Konsuln, Konsuln und Vize Konsuln des Deutschen Reichs in der Süd-Afrikanischen Republik haben, soweit sie von ihrer Regierung dazu ermächtigt sind, das Recht daselbst bürgerlich gültige Eheschließungen von Angehörigen des Deutschen Reichs nach Maszgabe der Gesetze des letzteren vorzunehmen, sowie die Geburten, Heirathen und Sterbefälle solcher Angehörigen zu beurkunden.

## ARTIKEL 17.

Verstirbt ein Deutscher in der Süd-Afrikanischen Republik oder ein Angehöriger der Süd-Afrikanischen Republik in Deutschland an einem Orte, an welchem ein General Consul, Consul, Vize Consul, oder Konsular Agent des Staates, welchem der Verstorbene angehörte, seinen Amtssitz hat, oder in der Nähe eines solchen Ortes, so hat die zuständige Ortsbehörde der Konsularbehörde hiervon unverzüglich Nachricht zu geben.

In gleicher Weise hat die Konsularbehörde, wenn sie zuerst von dem Todesfall Kenntniz erhält, die Ortsbehörde mit Nachricht zu versehen.

Die Konsularbehörde hat das Recht, von Amtswegen oder auf Antrag der Betheiligten alle Nachlassgegenstände unter Siegel zu legen, nachdem sie von dieser Amtshandlung die zuständige Ortsbehörde benachrichtigt hat, welche derselben beiwohnen und ebenfalls ihre Siegel anlegen kann.

Die beiderseits angelegten Siegel dürfen ohne Mitwirkung der Ortsbehörde nicht abgenommen werden. Sollte jedoch die letztere auf eine von der Konsularbehörde an sie ergangene Einladung der Abnahme der beiderseits angelegten Siegel bei zu wohnen innerhalb achtundvierzig Stunden, vom Empfange der Einladung an gerechnet, sich nicht eingefunden haben, so kann die Konsularbehörde allein zu der gedachten Amtshandlung schreiten.

Die Konsularbehörde hat nach Abnahme der Siegel ein Verzeichniz aller Nachlassgegenstände aufzunehmen und zwar in Gegenwart der Ortsbehörde, wenn diese in Folge der vorerwähnten Einladung jener Amtshandlung beigewohnt hatte.

Die Ortsbehörde soll den in ihrer Gegenwart aufgenommenen Protokollen ihre Unterschrift beifügen, ohne dass sie für ihre amtliche Mitwirkung bei diesen Amtshandlungen Gebühren irgendwelcher Art beanspruchen kann.



ARTIKEL 18.

De bevoegde autoriteiten van het land zullen de in het land gebruikelijke of door de wetten daarvan voorgeschreven aankondigingen doen wegens het openvallen der nalatenschap en de oproeping der erfgenamen of schuldeischers en deze aankondigingen aan den consulaire ambtenaar mededeelen, onverminderd de aankondigingen, die op gelijke wijze door dezen kunnen gedaan worden.

ARTIKEL 19.

De consulaire ambtenaar kan alle bederfelijke roerende voorwerpen der nalatenschap en alle zoodanige waarvan het bewaren aanmerkelijke kosten aan de nalatenschap zou veroorzaken, met inachtneming van de vormen voorgeschreven door de wetten en gebruiken van het land waar hij zijn zetel heeft, in het openbaar laten verkoopen.

ARTIKEL 20.

De consulaire ambtenaar heeft de geïnventariseerde voorwerpen der nalatenschap, het bedrag der ontvangen schuldvorderingen en inkomsten, alsmede de opbrengst van den verkoop van voorwerpen der nalatenschap te bewaren tot den afloop van een termijn van zes maanden; te rekenen van den dag der laatste aankondiging die de plaatselijke autoriteit omtrent het openvallen der nalatenschap gedaan heeft, of indien door de plaatselijke autoriteit geene aankondiging geschied is, tot den afloop van een termijn van acht maanden na den dag van het overlijden. De consulaire ambtenaar heeft echter de bevoegdheid de kosten van de laatste ziekte en de begrafenis des overledenen, het loon der dienstboden, huurpenningen, gerechtelijke en consulaatskosten en soortgelijke kosten, als ook uitgaven voor het onderhoud van het gezin des overledenen uit het bedrag der nalatenschap dadelijk te voldoen.

ARTIKEL 21.

Onverminderd de bepalingen van het voorgaand artikel heeft de consulaire ambtenaar het recht, ten opzichte van de roerende of onroerende nalatenschap des overledenen alle zekerheidsmaatregelen te nemen, die hij in het belang der erfgenamen doelmatig acht. De consulaire ambtenaar kan de nalatenschap, hetzij persoonlijk, hetzij door daartoe gekozen en in zijn naam handelende vertegenwoordigers beheeren, en hij heeft het recht in de plaats der erfgenamen in ontvang te nemen alle aan den overledene behoord hebbende voorwerpen van waarde, die zich in openbare kassen of bij bijzondere personen in bewaring mochten bevinden.

ARTIKEL 18.

Die zuständigen Landesbehörden sollen die in dem Lande gebräuchlichen oder durch die Gesetze desselben vorgeschriebenen Bekanntmachungen bezüglich der Eröffnung des Nachlasses und des Aufrufs der Erben oder Gläubiger erlassen und diese Bekanntmachungen der Konsularbehörde mittheilen, unbeschadet der Bekanntmachungen welche in gleicher Weise von dieser etwa erlassen werden.

ARTIKEL 19.

Die Konsularbehörde kann alle beweglichen Nachlassgegenstände, welche dem Verderben ausgesetzt sind und alle diejenigen deren Aufbewahrung dem Nachlass erhebliche Kosten verursachen würde, unter Beobachtung der durch die Gesetze und Gebräuche des Landes ihres Amtssitzes vorgeschriebenen Formen öffentlich versteigern lassen.

ARTIKEL 20.

Die Konsularbehörde hat die verzeichneten Nachlassgegenstände, den Betrag der eingezogenen Forderungen und erhaltenen Einkünfte, sowie den Erlös aus dem etwa stattgehabten Verkauf von Nachlassgegenständen bis zum Ablauf einer Frist von sechs Monaten, von dem Tage der letzten Bekanntmachung, welche die Ortsbehörde hinsichtlich der Eröffnung des Nachlasses erlassen hat, an gerechnet, oder falls von der Ortsbehörde keine Bekanntmachung erlassen worden ist, bis zum Ablauf einer Frist von acht Monaten, von dem Todestage an gerechnet, zu verwahren. Die Konsularbehörde soll jedoch die Befugnisz haben, die Kosten der letzten Krankheit und der Beerdigung des Verstorbenen, den Lohn der Dienstboten, Miethszins, Gerichts- und Konsulatkosten und Kosten ähnlicher Art, sowie etwaige Ausgaben für den Unterhalt der Familie des Verstorbenen aus dem Erlös des Nachlasses sofort vorweg zu entnehmen.

ARTIKEL 21.

Vorbehaltlich der Bestimmungen des vorhergehenden Artikels soll die Konsularbehörde das Recht haben, hinsichtlich des beweglichen oder unbeweglichen Nachlasses des Verstorbenen alle Sicherungsmaßregeln zu treffen, welche sie im Interesse der Erben für zweckmässig erachtet. Der Konsular Beamte kann den Nachlass entweder persönlich oder durch von ihm erwählte und in seinem Namen handelnde Vertreter verwalten, und er soll das Recht haben, alle dem Verstorbenen zugehörigen Werthgegenstände die sich in öffentlichen Kassen, oder bei Privatpersonen in Verwahrung befinden sollten, an Stelle der Erben in Empfang zu nehmen.

Wanneer twijfel ontstaat over de nauwkeurigheid of de echtheid der afschriften, uittreksels of vertalingen, moet de consulaire ambtenaar voor de bevoegde macht van het land, op haar verlangen, het oorspronkelijke stuk ter vergelijking beschikbaar stellen.

## ARTIKEL 16.

De Consuls-Generaal, Consuls en Vice-Consuls van het Deutsche Rijk in de Zuid-Afrikaansche Republiek, hebben, voor zoover zij door hunne Regeering daartoe gemachtigd zijn, het recht aldaar burgerlijk geldige huwelijken van onderhoorigen van het Deutsche Rijk, overeenkomstig de wetten van dat Rijk, te sluiten, alsmede akten van geboorten, van huwelijken en van overlijden van die onderhoorigen op te maken.

## ARTIKEL 17.

Sterft een Duitscher in de Zuid-Afrikaansche Republiek, of een onderhoorige van de Zuid-Afrikaansche Republiek in Deutschland, op eene plaats waar een Consul-Generaal, Consul, Vice-Consul of Consulaire Agent van den Staat waartoe de gestorvene behoorde, zijn zetel heeft, of in de nabijheid van zoodanige plaats, dan heeft de bevoegde plaatselijke autoriteit daarvan onverwijld kennis te geven aan den consulaire ambtenaar.

Ingelijks heeft de consulaire ambtenaar, indien hij het eerst van een sterfgeval kennis krijgt, aan de plaatselijke autoriteit daarvan mededeeling te doen.

De consulaire ambtenaar heeft het recht van ambtswege of op verzoek der betrokkenen alle voorwerpen, die tot eene nalatenschap behooren, te verzegelen, nadat hij van deze ambtsverrichting kennis heeft gegeven aan de bevoegde plaatselijke autoriteit, die daarbij kan tegenwoordig zijn en mede harerzijds kan verzegelen.

Is er van beide zijden verzegeld, zoo kan er zonder medewerking van de plaatselijke autoriteit niet ontzegeld worden.

Indien echter laatstgenoemde na eene door den consulaire ambtenaar aan haar gericht uitnoodiging om de opheffing der van beide zijden gelegde zegels bij te wonen, niet verschijnt binnen 48 uren, berekend van de ontvangst der uitnoodiging, dan kan de consulaire ambtenaar alleen tot de ontzegeling overgaan.

De consulaire ambtenaar heeft na de ontzegeling een inventaris van alle voorwerpen der nalatenschap te maken en wel in tegenwoordigheid der plaatselijke autoriteit, indien deze krachtens bovengemelde uitnoodiging bij de ontzegeling tegenwoordig is.

De plaatselijke autoriteit zal de in hare tegenwoordigheid gestelde protocollen met hare medeondertekening voorzien, zonder dat zij voor hare ambtelijke medewerking tot deze verrichtingen eenigerlei onkosten hoegenaamd mag in rekening brengen.

Wenn gegen die Genauigkeit oder die Echtheit der Abschriften, Auszüge oder Uebersetzungen Zweifel erhoben werden, so soll die Konsularbehörde der zuständigen Landesbehörde auf Verlangen die Urschrift behufs Vergleichung zur Verfügung stellen.

## ARTIKEL 16.

Die General Konsuln, Konsuln und Vize Konsuln des Deutschen Reichs in der Süd-Afrikanischen Republik haben, soweit sie von ihrer Regierung dazu ermächtigt sind, das Recht daselbst bürgerlich gültige Eheschließungen von Angehörigen des Deutschen Reichs nach Maszgabe der Gesetze des letzteren vorzunehmen, sowie die Geburten, Heirathen und Sterbefälle solcher Angehörigen zu beurkunden.

## ARTIKEL 17.

Verstirbt ein Deutscher in der Süd-Afrikanischen Republik oder ein Angehöriger der Süd-Afrikanischen Republik in Deutschland an einem Orte, an welchem ein General Consul, Consul, Vize Consul, oder Konsular Agent des Staates, welchem der Verstorbene angehörte, seinen Amtssitz hat, oder in der Nähe eines solchen Ortes, so hat die zuständige Ortsbehörde der Konsularbehörde hiervon unverzüglich Nachricht zu geben.

In gleicher Weise hat die Konsularbehörde, wenn sie zuerst von dem Todesfall Kenntniz erhält, die Ortsbehörde mit Nachricht zu versehen.

Die Konsularbehörde hat das Recht, von Amtswegen oder auf Antrag der Betheiligten alle Nachlassgegenstände unter Siegel zu legen, nachdem sie von dieser Amtshandlung die zuständige Ortsbehörde benachrichtigt hat, welche derselben beiwohnen und ebenfalls ihre Siegel anlegen kann.

Die beiderseits angelegten Siegel dürfen ohne Mitwirkung der Ortsbehörde nicht abgenommen werden. Sollte jedoch die letztere auf eine von der Konsularbehörde an sie ergangene Einladung der Abnahme der beiderseits angelegten Siegel beizuwohnen innerhalb achtundvierzig Stunden, vom Empfange der Einladung an gerechnet, sich nicht eingefunden haben, so kann die Konsularbehörde allein zu der gedachten Amtshandlung schreiten.

Die Konsularbehörde hat nach Abnahme der Siegel ein Verzeichniz aller Nachlassgegenstände aufzunehmen und zwar in Gegenwart der Ortsbehörde, wenn diese in Folge der vorerwähnten Einladung jener Amtshandlung beigewohnt hatte.

Die Ortsbehörde soll den in ihrer Gegenwart aufgenommenen Protokollen ihre Unterschrift beifügen, ohne dass sie für ihre amtliche Mitwirkung bei diesen Amtshandlungen Gebühren irgendwelcher Art beanspruchen kann.



ARTIKEL 18.

De bevoegde autoriteiten van het land zullen de in het land gebruikelijke of door de wetten daarvan voorgeschreven aankondigingen doen wegens het openvallen der nalatenschap en de oproeping der erfgenamen of schuldeischers en deze aankondigingen aan den consulaire ambtenaar mededeelen, onverminderd de aankondigingen, die op gelijke wijze door dezen kunnen gedaan worden.

ARTIKEL 19.

De consulaire ambtenaar kan alle bederfelijke roerende voorwerpen der nalatenschap en alle zoodanige waarvan het bewaren aanmerkelijke kosten aan de nalatenschap zou veroorzaken, met inachtneming van de vormen voorgeschreven door de wetten en gebruiken van het land waar hij zijn zetel heeft, in het openbaar laten verkoopen.

ARTIKEL 20.

De consulaire ambtenaar heeft de geïnventariseerde voorwerpen der nalatenschap, het bedrag der ontvangen schuldvorderingen en inkomsten, alsmede de opbrengst van den verkoop van voorwerpen der nalatenschap te bewaren tot den afloop van een termijn van zes maanden, te rekenen van den dag der laatste aankondiging die de plaatselijke autoriteit omtrent het openvallen der nalatenschap gedaan heeft, of indien door de plaatselijke autoriteit geene aankondiging geschied is, tot den afloop van een termijn van acht maanden na den dag van het overlijden. De consulaire ambtenaar heeft echter de bevoegdheid de kosten van de laatste ziekte en de begrafenis des overledenen, het loon der dienstboden, huurpenningen, gerechtelijke en consulaatskosten en soortgelijke kosten, als ook uitgaven voor het onderhoud van het gezin des overledenen uit het bedrag der nalatenschap dadelijk te voldoen.

ARTIKEL 21.

Onverminderd de bepalingen van het voorgaand artikel heeft de consulaire ambtenaar het recht, ten opzichte van de roerende of onroerende nalatenschap des overledenen alle zekerheidsmaatregelen te nemen, die hij in het belang der erfgenamen doelmatig acht. De consulaire ambtenaar kan de nalatenschap, hetzij persoonlijk, hetzij door daartoe gekozen en in zijn naam handelende vertegenwoordigers beheeren, en hij heeft het recht in de plaats der erfgenamen in ontvang te nemen alle aan den overledene behoord hebbende voorwerpen van waarde, die zich in openbare kassen of bij bijzondere personen in bewaring mochten bevinden.

ARTIKEL 18.

Die zuständigen Landesbehörden sollen die in dem Lande gebräuchlichen oder durch die Gesetze desselben vorgeschriebenen Bekanntmachungen bezüglich der Eröffnung des Nachlasses und des Aufrufs der Erben oder Gläubiger erlassen und diese Bekanntmachungen der Konsularbehörde mittheilen, unbeschadet der Bekanntmachungen welche in gleicher Weise von dieser etwa erlassen werden.

ARTIKEL 19.

Die Konsularbehörde kann alle beweglichen Nachlassgegenstände, welche dem Verderben ausgesetzt sind und alle diejenigen deren Aufbewahrung dem Nachlass erhebliche Kosten verursachen würde, unter Beobachtung der durch die Gesetze und Gebräuche des Landes ihres Amtssitzes vorgeschriebenen Formen öffentlich versteigern lassen.

ARTIKEL 20.

Die Konsularbehörde hat die verzeichneten Nachlassgegenstände, den Betrag der eingezogenen Forderungen und erhaltenen Einkünfte, sowie den Erlös aus dem etwa stattgehabten Verkauf von Nachlassgegenständen bis zum Ablauf einer Frist von sechs Monaten, von dem Tage der letzten Bekanntmachung, welche die Ortsbehörde hinsichtlich der Eröffnung des Nachlasses erlassen hat, an gerechnet, oder falls von der Ortsbehörde keine Bekanntmachung erlassen worden ist, bis zum Ablauf einer Frist von acht Monaten, von dem Todestage an gerechnet, zu verwahren. Die Konsularbehörde soll jedoch die Befugnisz haben, die Kosten der letzten Krankheit und der Beerdigung des Verstorbenen, den Lohn der Dienstboten, Miethszins, Gerichts- und Konsulatkosten und Kosten ähnlicher Art, sowie etwaige Ausgaben für den Unterhalt der Familie des Verstorbenen aus dem Erlös des Nachlasses sofort vorweg zu entnehmen.

ARTIKEL 21.

Vorbehaltlich der Bestimmungen des vorhergehenden Artikels soll die Konsularbehörde das Recht haben, hinsichtlich des beweglichen oder unbeweglichen Nachlasses des Verstorbenen alle Sicherungsmassregeln zu treffen, welche sie im Interesse der Erben für zweckmässig erachtet. Der Konsularbeamte kann den Nachlass entweder persönlich oder durch von ihm erwählte und in seinem Namen handelnde Vertreter verwalten, und er soll das Recht haben, alle dem Verstorbenen zugehörigen Werthgegenstände die sich in öffentlichen Kassen, oder bei Privatpersonen in Verwahrung befinden sollten, an Stelle der Erben in Empfang zu nehmen.

ARTIKEL 22.

Indien er gedurende den in art. 20 vermelden termijn verschil mocht ontstaan over aanspraken van onderhoorigen van het land of van een derden staat op de nalatenschap, dan komt de beslissing over deze aanspraken, voor zoover zij niet op erfrecht of legaten berusten, uitsluitend aan de rechters van het land toe.

Ingeval het bedrag der nalatenschap niet toereikend is tot volledige betaling der schulden, moeten de schuldeischers, voor zoover de wetten van het land dit toestaan, bij de bevoegde plaatselijke autoriteit de faillietverklaring kunnen aanvragen.

Na faillietverklaring zullen alle voorwerpen der nalatenschap aan de bevoegde plaatselijke autoriteit of aan beheerders der failliete massa afgegeven worden, terwijl de consulaire ambtenaar belast blijft met de waarneming der belangen van de onderhoorigen van den Staat, die hem heeft aangesteld en in het bijzonder met de vertegenwoordiging van zoodanige onderhoorigen die afwezig, minderjarig of uit andere hoofden tot eigen behartiging hunner belangen onbekwaam zijn.

ARTIKEL 23.

Na verstrijken van den in art. 20 vastgestelden termijn zal, wanneer geene vordering tegen de nalatenschap aanhangig is, de consulaire ambtenaar, nadat alle kosten en rekeningen ten laste der nalatenschap overeenkomstig de landswetten zijn voldaan, finaal in het bezit komen van de nalatenschap en deze vereffenen en aan de gerechtigden overmaken, zonder rekening te hebben af te leggen anders als aan zijne eigen regeering.

ARTIKEL 24.

In alle vragen waartoe het openvallen het beheer en de vereffening der nalatenschappen van onderhoorigen van een der beide Staten in den anderen Staat aanleiding kan geven, vertegenwoordigen de betrokken Consuls-Generaal, Consuls, Vice-Consuls, en Consulaire Agenten de erfgenamen van rechtswege, en zijn zij ambtelijk als hunne gevolmachtigden te erkennen, zonder dat zij verplicht zijn, hun mandaat door eene bijzondere akte te bewijzen. Zij zullen alzoo in persoon of door vertegenwoordigers, die zij uit de daartoe naar de landswet bevoegde personen gekozen hebben, voor de betrokkene autoriteiten kunnen optreden, om in elke op de nalatenschap betrekking hebbende aangelegenheid de belangen der erfgenamen waar te nemen, terwijl zij de rechten van deze doen gelden of de tegen die rechten opgeworpen aanspraken bestrijden.

Zij zijn echter verplicht aan den executeur-testamentair, wanneer die er is, of aan de

ARTIKEL 22.

Wenn während der im artikel 20 erwähnten Frist über etwaige Ansprüche von Landesangehörigen oder Angehörigen eines dritten Staates gegen den Nachlass Streit entstehen sollte, so steht die Entscheidung über diese Ansprüche, sofern sie nicht auf einem Erbanspruche oder Vermächtnisse beruhen, ausschliesslich den Landesgerichten zu. Falls der Bestand des Nachlasses zur unverkürzten Bezahlung der Schulden nicht ausreicht, sollen die Gläubiger, sofern die Gesetze des Landes dieses gestatten, bei der zuständigen Ortsbehörde die Eröffnung des Konkurses beantragen können. Nach erfolgter Konkursöffnung sollen alle Nachlassgegenstände der zuständigen Ortsbehörde oder den Verwaltern der Konkursmasse überliefert werden, wobei die Konsularbehörde mit der Wahrnehmung der Interessen der Angehörigen des Staates, welcher sie bestellt hat, und insbesondere der Vertretung derjenigen dieser Angehörigen, welche abwesend, minderjährig oder sonst zur eigenen Vertretung unfähig sind, betraut bleibt.

ARTIKEL 23.

Mit Ablauf der im Artikel 20 festgesetzten Frist soll, wenn keine Forderung gegen den Nachlass vorliegt, die Konsularbehörde, nachdem alle dem Nachlasse zur Last fallenden Kosten und Rechnungen nach Massgabe der Landesgesetze berichtigt worden sind, endgültig in den Besitz des Nachlasses gelangen, welchen sie liquidiren, und den Berechtigten überweisen soll, ohne dass sie anderweit, als ihrer eigenen Regierung Rechnung abzulegen hat.

ARTIKEL 24.

In allen Fragen, zu denen die Eröffnung die Verwaltung und die Liquidirung der Nachlässe von Angehörigen eines der beiden Staaten in dem anderen Staate Anlass geben können, vertreten die betreffenden General Konsuln, Konsuln, Vize Konsuln und Konsular Agenten die Erben von Rechtswegen und sind amtlich als die Bevollmächtigten derselben anzuerkennen, ohne dass sie verpflichtet wären, ihren Auftrag durch eine besondere Urkunde nachzuweisen. Sie sollen demgemäss in Person oder durch Vertreter, welche sie aus den landesgesetzlich dazu befugten Personen erwählt haben, vor den zuständigen Behörden auftreten können, um in jeder sich auf den Nachlass beziehenden Angelegenheit die Interessen der Erben wahrzunehmen, indem sie deren Rechte geltend machen, oder sich auf die gegen dieselben erhobenen Ansprüche einlassen.

Sie sind jedoch verpflichtet, zur Kenntniss der Testamentsvollstrecker, wenn solche



tegenwoordige of wettig vertegenwoordigde erfgenamen kennis te geven van elke aanspraak, die bij hen tegen den boedel ingebracht wordt, opdat de executeurs-testamentair of de erfgenamen daartegen bezwaar kunnen inbrengen.

Zij zullen insgelijks de voogdij of curateele over de onderhoorigen van den Staat, die hen benoemd heeft voor al wat op de regeling der nalatenschap betrekking heeft overeenkomstig de wetten van dien Staat kunnen instellen.

Het spreekt van zelf dat daar de Consuls-Generaal, Consuls, Vice-Consuls, en Consulaire Agenten als gevolmachtigden der erfgenamen worden aangemerkt, nooit tegen deze ambtenaren persoonlijk eene vordering betreffende de nalatenschap kan worden ingesteld.

#### ARTIKEL 25.

Het erfrecht alsmede de verdeeling van de nalatenschap des overledenen regelen zich naar de wetten van zijn land.

Alle vorderingen, die op erfrecht en verdeeling van eene nalatenschap betrekking hebben, zullen door de rechters of andere bevoegde autoriteiten van datzelfde land overeenkomstig de wetten van dat land beslist worden.

#### ARTIKEL 26.

Indien een Duitscher in de Zuid-Afrikaansche Republiek of een onderhoorige van de Zuid-Afrikaansche Republiek in Deutschland op eene plaats sterft waar, of in de nabijheid waarvan geen consulaire ambtenaar van zijn Staat aanwezig is, zoo heeft de bevoegde plaatselijke autoriteit overeenkomstig de landswetten stappen te doen tot verzegeling en inventarisatie der nalatenschap. Gewaarmerkte afschriften der daarvoor opgestelde stukken moeten de acte van overlijden en de stukken, waaruit de nationaliteit des overledenen blijkt, zoo spoedig mogelijk worden overgemaakt aan den meest nabijzijnden Consulaire Ambtenaar.

De bevoegde plaatselijke autoriteit moet tot zekerheid der nalatenschap alle door de landswetten voorgeschrevene maatregelen nemen, en het bedrag der nalatenschap in zoo kort mogelijken tijd na het verstrijken van den in art. 20 bepaalde termijn aan den bedoelden Consulaire Ambtenaar overmaken.

Het spreekt van zelf dat van het oogenblik, waarop de bevoegde Consulaire Ambtenaar verschenen is of een vertegenwoordiger ter plaatse gezonden heeft, de plaatselijke autoriteit al heeft zij reeds stappen gedaan, zich naar de in de vorige artikelen vervatte voorschriften heeft te gedragen.

vorhanden sind, oder der gegenwärtigen oder vorschriftsmässig vertretenen Erben jeden Anspruch zu bringen, welcher bei ihnen gegen die Nachlassmasse erhoben sein sollte, damit die Vollstrecker oder die Erben ihre etwaigen Einreden dagegen erheben können.

Sie sollen gleichfalls die Vormundschaft oder Pflegschaft über die Angehörigen des Staates, der sie ernannt hat, für alles auf die Nachlassregelung Bezügliche in Gemäßheit der Gesetze dieses Staates einleiten können.

Es versteht sich von selbst, dass da die General Konsuln, Konsuln, Vize Konsuln und Konsular Agenten als Bevollmächtigte der Erben betrachtet werden, niemals gegen diese Beamten persönlich ein den Nachlass betreffender Anspruch geltend gemacht werden kann.

#### ARTIKEL 25.

Das Erbrecht, sowie die Theilung des Nachlasses des Verstorbenen, richten sich nach den Gesetzen seines Landes. Alle Ansprüche, welche sich auf Erbrecht und Nachlasstheilung beziehen sollen durch die Gerichte oder sonst zuständigen Behörden desselben Landes und in Gemäßheit der Gesetze dieses Landes entschieden werden.

#### ARTIKEL 26.

Wenn ein Deutscher in der Südafrikanischen Republik, oder ein Angehöriger der Südafrikanischen Republik in Deutschland an einem Orte verstirbt, an welchem oder in dessen Nähe eine Konsularbehörde seines Staates nicht vorhanden ist, so hat die zuständige Ortsbehörde nach Maszgabe der Landesgesetze zur Anlegung der Siegel und zur Verzeichnung des Nachlasses zu schreiten. Beglaubigte Abschriften der darüber aufgenommenen Verhandlungen sind nebst der Todesurkunde und den die Staatsangehörigkeit des Verstorbenen darthuenden Schriftstücken binnen kürzester Frist der nächsten Konsularbehörde zu übersenden.

Die zuständige Ortsbehörde soll zur Sicherung der Nachlasses alle durch die Landesgesetze vorgeschriebenen Maszregeln treffen und den Bestand des Nachlasses in möglichst kurzer Frist nach Ablauf der im Artikel 20 bestimmten Frist der gedachten Konsularbehörde übermitteln.

Es versteht sich von selbst dass von dem Augenblicke an, wo der zuständige Konsularbeamte erschienen sein oder einen Vertreter an Ort und Stelle geschickt haben sollte, die Ortsbehörde, welche etwa eingeschritten ist, sich nach den in den vorstehenden Artikeln enthaltenen Vorschriften zu richten haben wird.



ARTIKEL 22.

Indien er gedurende den in art. 20 vermelden termijn verschil mocht ontstaan over aanspraken van onderhoorigen van het land of van een derden staat op de nalatenschap, dan komt de beslissing over deze aanspraken, voor zoover zij niet op erfrecht of legaten berusten, uitsluitend aan de rechters van het land toe.

Ingeval het bedrag der nalatenschap niet toereikend is tot volledige betaling der schulden, moeten de schuldeischers, voor zoover de wetten van het land dit toestaan, bij de bevoegde plaatselijke autoriteit de faillietverklaring kunnen aanvragen.

Na faillietverklaring zullen alle voorwerpen der nalatenschap aan de bevoegde plaatselijke autoriteit of aan beheerders der failliete massa afgegeven worden, terwijl de consulaire ambtenaar belast blijft met de waarneming der belangen van de onderhoorigen van den Staat, die hem heeft aangesteld en in het bijzonder met de vertegenwoordiging van zoodanige onderhoorigen die afwezig, minderjarig of uit andere hoofden tot eigen behartiging hunner belangen onbekwaam zijn.

ARTIKEL 23.

Na verstrijken van den in art. 20 vastgestelden termijn zal, wanneer geene vordering tegen de nalatenschap aanhangig is, de consulaire ambtenaar, nadat alle kosten en rekeningen ten laste der nalatenschap overeenkomstig de landswetten zijn voldaan, finaal in het bezit komen van de nalatenschap en deze vereffenen en aan de gerechtigden overmaken, zonder rekening te hebben af te leggen anders als aan zijne eigen regeering.

ARTIKEL 24.

In alle vragen waartoe het openvallen, het beheer en de vereffening der nalatenschappen van onderhoorigen van een der beide Staten in den anderen Staat aanleiding kan geven, vertegenwoordigen de betrokken Consuls-Generaal, Consuls, Vice-Consuls, en Consulaire Agenten de erfgenamen van rechtswege, en zijn zij ambtelijk als hunne gevolmachtigden te erkennen, zonder dat zij verplicht zijn, hun mandaat door eene bijzondere akte te bewijzen. Zij zullen alzoo in persoon of door vertegenwoordigers, die zij uit de daartoe naar de landswet bevoegde personen gekozen hebben, voor de betrokkene autoriteiten kunnen optreden, om in elke op de nalatenschap betrekking hebbende aangelegenheid de belangen der erfgenamen waar te nemen, terwijl zij de rechten van deze doen gelden of de tegen die rechten opgeworpen aanspraken bestrijden.

Zij zijn echter verplicht aan den executeur-testamentair, wanneer die er is, of aan de

ARTIKEL 22.

Wenn während der im artikel 20 erwähnten Frist über etwaige Ansprüche von Landesangehörigen oder Angehörigen eines dritten Staates gegen den Nachlass Streit entstehen sollte, so steht die Entscheidung über diese Ansprüche, sofern sie nicht auf einem Erbanspruche oder Vermächtnisse beruhen, ausschliesslich den Landesgerichten zu. Falls der Bestand des Nachlasses zur unverkürzten Bezahlung der Schulden nicht ausreicht, sollen die Gläubiger, sofern die Gesetze des Landes dieses gestatten, bei der zuständigen Ortsbehörde die Eröffnung des Konkurses beantragen können. Nach erfolgter Konkursöffnung sollen alle Nachlassgegenstände der zuständigen Ortsbehörde oder den Verwaltern der Konkursmasse überliefert werden wobei die Konsularbehörde mit der Wahrnehmung der Interessen der Angehörigen des Staates, welcher sie bestellt hat, und insbesondere der Vertretung derjenigen dieser Angehörigen, welche abwesend, minderjährig oder sonst zur eigenen Vertretung unfähig sind, betraut bleibt.

ARTIKEL 23.

Mit Ablauf der im Artikel 20 festgesetzten Frist soll, wenn keine Forderung gegen den Nachlass vorliegt, die Konsularbehörde, nachdem alle dem Nachlasse zur Last fallenden Kosten und Rechnungen nach Massgabe der Landesgesetze berichtigt worden sind, endgültig in den Besitz des Nachlasses gelangen, welchen sie liquidiren, und den Berechtigten überweisen soll, ohne dass sie anderweit, als ihrer eigenen Regierung Rechnung abzulegen hat.

ARTIKEL 24.

In allen Fragen, zu denen die Eröffnung die Verwaltung und die Liquidirung der Nachlässe von Angehörigen eines der beiden Staaten in dem anderen Staate Anlass geben können, vertreten die betreffenden General-Konsuln, Konsuln, Vize-Konsuln und Konsular-Agenten die Erben von Rechtswegen und sind amtlich als die Bevollmächtigten derselben anzuerkennen, ohne dass sie verpflichtet wären, ihren Auftrag durch eine besondere Urkunde nachzuweisen. Sie sollen demgemäss in Person oder durch Vertreter, welche sie aus den landesgesetzlich dazu befugten Personen erwählt haben, vor den zuständigen Behörden auftreten können, um in jeder sich auf den Nachlass beziehenden Angelegenheit die Interessen der Erben wahrzunehmen, indem sie deren Rechte geltend machen, oder sich auf die gegen dieselben erhobenen Ansprüche einlassen.

Sie sind jedoch verpflichtet, zur Kenntniss der Testamentsvollstrecker, wenn solche

tegenwoordige of wettig vertegenwoordigde erfgenamen kennis te geven van elke aanspraak, die bij hen tegen den boedel ingebracht wordt, opdat de executeurstestamentair of de erfgenamen daartegen bezwaar kunnen inbrengen.

Zij zullen insgelijks de voogdij of curateele over de onderhoorigen van den Staat, die hen benoemd heeft voor al wat op de regeling der nalatenschap betrekking heeft overeenkomstig de wetten van dien Staat kunnen instellen.

Het spreekt van zelf dat daar de Consuls-Generaal, Consuls, Vice-Consuls, en Consulaire Agenten als gevolmachtigden der erfgenamen worden aangemerkt, nooit tegen deze ambtenaren persoonlijk eene vordering betreffende de nalatenschap kan worden ingesteld.

#### ARTIKEL 25.

Het erfrecht alsmede de verdeeling van de nalatenschap des overledenen regelen zich naar de wetten van zijn land.

Alle vorderingen, die op erfrecht en verdeeling van eene nalatenschap betrekking hebben, zullen door de rechters of andere bevoegde autoriteiten van datzelfde land overeenkomstig de wetten van dat land beslist worden.

#### ARTIKEL 26.

Indien een Duitscher in de Zuid-Afrikaansche Republiek of een onderhoorige van de Zuid-Afrikaansche Republiek in Duitschland op eene plaats sterft waar, of in de nabijheid waarvan geen consulaire ambtenaar van zijn Staat aanwezig is, zoo heeft de bevoegde plaatselijke autoriteit overeenkomstig de landswetten stappen te doen tot verzegeling en inventarisatie der nalatenschap. Gewaarmerkte afschriften der daarvoor opgestelde stukken moeten de acte van overlijden en de stukken, waarnaar de nationaliteit des overledenen blijkt, zoo spoedig mogelijk worden overgemaakt aan den meest nabijzijnden Consulaire Ambtenaar.

De bevoegde plaatselijke autoriteit moet tot zekerheid der nalatenschap alle door de landswetten voorgeschrevene maatregelen nemen, en het bedrag der nalatenschap in zoo kort mogelijken tijd na het verstrijken van den in art. 20 bepaalde termijn aan den bedoelden Consulaire Ambtenaar overmaken.

Het spreekt van zelf dat van het oogenblik, waarop de bevoegde Consulaire Ambtenaar verschenen is of een vertegenwoordiger ter plaatse gezonden heeft, de plaatselijke autoriteit al heeft zij reeds stappen gedaan, zich naar de in de vorige artikelen vervatte voorschriften heeft te gedragen.

vorhanden sind, oder der gegenwärtigen oder vorschriftsmässig vertretenen Erben jeden Anspruch zu bringen, welcher bei ihnen gegen die Nachlassmasse erhoben sein sollte, damit die Vollstrecker oder die Erben ihre etwaigen Einreden dagegen erheben können.

Sie sollen gleichfalls die Vormundschaft oder Pflegschaft über die Angehörigen des Staates, der sie ernannt hat, für alles auf die Nachlassregelung Bezügliche in Gemässheit der Gesetze dieses Staates einleiten können.

Es versteht sich von selbst, dass da die General Konsuln, Konsuln, Vize Konsuln und Konsular Agenten als Bevollmächtigte der Erben betrachtet werden, niemals gegen diese Beamten persönlich ein den Nachlass betreffender Anspruch geltend gemacht werden kann.

#### ARTIKEL 25.

Das Erbrecht, sowie die Theilung des Nachlasses des Verstorbenen, richten sich nach den Gesetzen seines Landes. Alle Ansprüche, welche sich auf Erbrecht und Nachlassztheilung beziehen sollen durch die Gerichte oder sonst zuständigen Behörden desselben Landes und in Gemässheit der Gesetze dieses Landes entschieden werden.

#### ARTIKEL 26.

Wenn ein Deutscher in der Südafrikanischen Republik, oder ein Angehöriger der Südafrikanischen Republik in Deutschland an einem Orte verstirbt, an welchem oder in dessen Nähe eine Konsularbehörde seines Staates nicht vorhanden ist, so hat die zuständige Ortsbehörde nach Maszgabe der Landesgesetze zur Anlegung der Siegel und zur Verzeichnung des Nachlasses zu schreiten. Beglaubigte Abschriften der darüber aufgenommenen Verhandlungen sind nebst der Todesurkunde und den die Staatsangehörigkeit des Verstorbenen darthnenden Schriftstücken binnen kürzester Frist der nächsten Konsularbehörde zu übersenden.

Die zuständige Ortsbehörde soll zur Sicherung der Nachlasses alle durch die Landesgesetze vorgeschriebenen Maszregeln treffen und den Bestand des Nachlasses in möglichst kurzer Frist nach Ablauf der im Artikel 20 bestimmten Frist der gedachten Konsularbehörde übermitteln.

Es versteht sich von selbst dass von dem Augenblicke an, wo der zuständige Konsularbeamte erschienen sein oder einen Vertreter an Ort und Stelle geschickt haben sollte, die Ortsbehörde, welche etwa ein geschritten ist, sich nach den in den vorstehenden Artikeln enthaltenen Vorschriften zu richten haben wird.



ARTIKEL 27.

Is een onderhoorige van een der beide Staten belanghebbende bij eene op het gebied van den anderen Staat opengevallen nalatenschap dan zal, ook indien de erflater onderhoorige van laatstgemelden of van een derden Staat was, de plaatselijke autoriteit aan den naastbijzijnden Consulaire Ambtenaar van het openvallen der nalatenschap overwijd kennis geven.

ARTIKEL 28.

De bepalingen van dit tractaat zullen op gelijke wijze toepasselijk zijn op de nalatenschap van een onderhoorige van een der beide Staten die, overleden buiten het grondgebied van den anderen Staat, aldaar roerend of onroerend goed heeft nagelaten.

ARTIKEL 29.

De Consuls-Generaal, Consuls, Vice-Consuls of Consulaire Agenten zijn uitsluitend belast met de inventarisatie en de overige tot behoud en tot vereffening gevorderde ambtsverrichtingen bij de nalatenschap van ieder reiziger, die in den Staat waar de bedoelde ambtenaar zijn zetel heeft, overleden is, en die bij zijn overlijden onderhoorige was van den anderen Staat.

ARTIKEL 30.

De Consuls-Generaal, Consuls, Vice-Consuls en hunne Kanseliers of Secretarissen, alsmede de Consulaire Agenten, zullen in beide Staten alle vrijdommen, voorrechten en bevoegdheden deelachtig zijn, die aan de ambtenaren van gelijken rang van de meest begunstigde natie toekomen.

ARTIKEL 31.

Over de wederzijdsche uitlevering van misdadigers en over rogatoire commissiën in strafzaken zal tusschen de contracteerende partijen eene afzonderlijke overeenkomst getroffen worden. Tot aan het in werking treden van die overeenkomst zullen aan het Duitsche Rijk in de Zuid-Afrikaansche Republiek dezelfde rechten en voordeelen, die van wege deze Republiek aan een anderen Staat te dezen opzichte ingewilligd zijn of in de toekomst ingewilligd worden in zoover toekomen als van wege het Duitsche Rijk bij het doen van het verzoek voor dergelijke gevallen de wederkeerigheid aan de Zuid-Afrikaansche Republiek verzekerd wordt.

ARTIKEL 32.

Het tegenwoordige tractaat, waarvan de den handel betreffende bepalingen op de met een der contracteerende partijen nu of

ARTIKEL 27.

Erscheint ein Angehöriger eines der beiden Staaten an einem im Gebiete des anderen Staates eröffneten Nachlasse betheiligt, so soll, auch wenn der Erblasser Angehöriger des letzteren oder eines dritten Staates war, die Ortsbehörde die nächste Konsularbehörde von der Eröffnung des Nachlasses unverzüglich in Kenntniz setzen.

ARTIKEL 28.

Die Bestimmungen des gegenwärtigen Vertrages sollen in gleicher Weise auf den Nachlass eines Angehörigen eines der beiden Staaten Anwendung finden, der ausserhalb des Gebiets des anderen Staates verstorben, dort bewegliches oder unbewegliches Vermögen hinterlassen hat.

ARTIKEL 29.

Die General Konsuln, Konsuln, Vize Konsuln oder Konsularagenten, sind ausschliesslich beauftragt mit der Inventarisierung und den anderen zur Erhaltung und Liquidierung erforderlichen Amtshandlungen bei dem Nachlass jedes Reisenden, welcher in dem Staate des Amtses des gedachten Beamten gestorben ist und bei seinem Ableben dem anderen Staate angehörte.

ARTIKEL 30.

Die General Konsuln, Konsuln, Vize Konsuln und ihre Kanzler oder Sekretäre, sowie die Konsularagenten sollen in beiden Staaten aller Befreiungen, Vorrechte und Befugnisse theilhaftig sein, welche den Beamten gleichen Grades der meist begünstigten Nation zustehen.

ARTIKEL 31.

Ueber die gegenseitige Auslieferung der Verbrecher und Erledigung von Requisitionen in Strafsachen wird zwischen den vertragschliessenden Theilen eine besondere Vereinbarung getroffen werden. Bis zum Inkrafttreten dieser Vereinbarung sollen dem Deutschen Reiche in der Südafrikanischen Republik dieselben Rechte und Begünstigungen, welche seitens dieser Republik einem anderen Staate in diesen Beziehungen eingeräumt sind oder in Zukunft eingeräumt werden, insoweit zustehen, als seitens des Deutschen Reiches bei Stellung des Antrages für gleichartige Fälle die Gegenseitigkeit an die Südafrikanische Republik zugesichert wird.

ARTIKEL 32.

Der gegenwärtige Vertrag dessen auf den Handel bezügliche Bestimmungen sich auf die mit einem der vertragschliessenden

later door toeleenheid verbonden landen of landstreken toepasselijk zijn, zal geratificeerd en de ratificatiën zullen te Berlijn zoodra mogelijk uitgewisseld worden.

Het zal in werking treden eene maand na het uitwisselen der ratificatiën en tien jaren van kracht blijven, te rekenen van den dag van het in werking treden.

Indien één jaar voor het verstrijken van dien tijd geen der contracteerende partijen aan de andere partij door eene ambtelijke verklaring zijn oogmerk te kennen geeft om de werking van het tractaat te doen ophouden, zoo zal het nog één jaar van kracht blijven van den dag af waarop de eene of de andere der contracteerende partijen deze kennisgeving heeft gedaan.

De contracteerende partijen behouden zich de bevoegdheid voor bij gemeenschappelijk overleg in dit tractaat alle veranderingen op te nemen, die met den geest en de grondslagen daarvan niet in strijd zijn en waarvan het nut door de ervaring gebleken zal zijn.

Ter oorkonde waarvan de wederzijdsche gevolmachtigden dit tractaat hebben onteekend en met hun zegel voorzien.

Aldus gedaan te Berlijn, den 22 Januari 1885.

(w.g.) BEELAERTS VAN BLOKLAND.  
( » ) GRAF BISMARCK-SCHÖNHAUSEN.  
( » ) HELLWIG.

Theile gegenwärtig oder künftig zollgeeinten Länder oder Gebiete erstrecken, soll ratifiziert und die Ratifikationen sollen in Berlin sobald als möglich ausgewechselt werden.

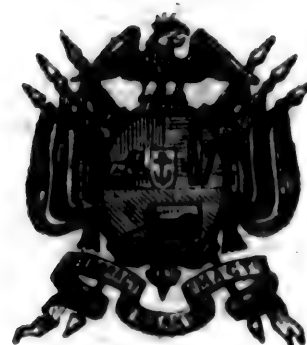
Derselbe soll einen Monat nach der Auswechselung der Ratifikationen in Kraft treten und zehn Jahre, vom Tage des Inkrafttretens an gerechnet, in Wirksamkeit bleiben. Wenn ein Jahr vor Ablauf dieses Zeitraumes keiner der vertragschliessenden Theile dem anderen durch eine amtliche Erklärung seine Absicht kund giebt, die Wirksamkeit des Vertrages aufhören zu lassen, so soll derselbe noch ein Jahr von dem Tage ab in Geltung bleiben, an welchem der eine oder der andere der vertragschliessenden Theile denselben gekündigt haben wird.

Die vertragschliessenden Theile behalten sich die Befugnisz vor, nach gemeinsamer Verständigung in diesen Vertrag jederlei Abänderungen aufzunehmen, welche mit dem Geiste und den Grundlagen desselben nicht im Widerspruch stehen und deren Nützlichkeit durch die Erfahrung dargethan sein sollte.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten den gegenwärtigen Vertrag unterzeichnet und ihre Siegel beigeschrieben.

So geschehen zu Berlin, den 22sten Januar 1885.

(gezeichnet) Graf BISMARCK SCHÖNHAUSEN.  
( » ) HELLWIG.  
( » ) BEELAERTS VAN BLOKLAND.



ZUID-AFRIKAANSCH REPUBLIEK.

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# TRACTAAT

TUSSEN

DE ZUID-AFRIKAANSCH REPUBLIEK

EN

ITALIE.

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GESLOTEN 6 OCTOBER 1886.

RATIFICATIEN UITGEWISSELD 10 SEPTEMBER 1888.

IN WERKING GETREDEN 10 SEPTEMBER 1888.

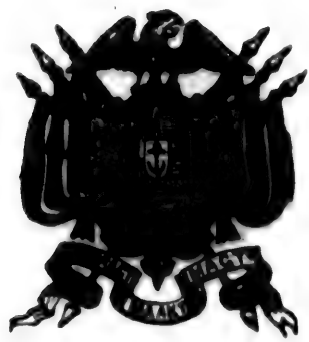
OPZEGBAAR VAN AF 10 SEPTEMBER 1893.

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GEDRUKT TER STAATSDRUKKERIJ VAN DE Z. A. REPUBLIEK.

1897.





ZUID-AFRIKAANSCH REPUBLIEK.

# TRACTAAT

TUSSEN

DE ZUID-AFRIKAANSCH REPUBLIEK

EN

ITALIE.

GESLOTEN 6 OCTOBER 1886.

RATIFICATIEN UITGEWISSELD 10 SEPTEMBER 1888.

IN WERKING GETREDEN 10 SEPTEMBER 1888.

OPZEGBAAR VAN AF 10 SEPTEMBER 1893.

GEDRUKT TER STAATSDRUKKERIJ VAN DE Z. A. REPUBLIEK.

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1897.

# TRACTAAT

TUSSCHEN

## DE ZUID-AFRIKAANSCH REPUBLIEK EN ITALIE.

GESLOTEN 8 OCTOBER 1886. RATIFICATIEN UITGEWISSELD 10 SEPTEMBER 1888.  
IN WERKING GETREDEN 10 SEPTEMBER 1888. OPZEGBAAR VAN AF 10 SEPTEMBER 1893.

ZIJNE EXCELLENTIE DE STAATSPRESIDENT van de Zuid-Afrikaansche Republiek en ZIJNE MAJESTEIT DE KONING VAN ITALIE, willende ontwikkelen en bevestigen de vriendschaps- en handelsbetrekkingen tusschen de Zuid-Afrikaansche Republiek en Italie, en hebbende doelmatig geacht een tractaat te sluiten geschikt om dat oogmerk te bereiken, hebben tot hunne gevolmachtigden benoemd, te weten: Zijne Excellentie de STAATSPRESIDENT van de Zuid-Afrikaansche Republiek: den Heer Jonkheer GERARD BEELAERTS VAN BLOKLAND, Ridder van de Orde van den Nederlandschen Leeuw, Minister-Resident van de Zuid Afrikaansche Republiek in Duitschland, Frankrijk en Portugal, enz. Zijne Majesteit de KONING VAN ITALIE: den Heer Graaf HENRI DELLA CROCE DE DOJOLA, Grootofficier van de Orde van den Heiligen Mauritius en Lazarus en van de Kroon van Italie, Buitengewoon Gezant en Gevolmachtigd Minister bij Zijne Majesteit den Koning der Nederlanden, enz., die na wederkeerige uitwisseling van hunne in goeden en behoorlijken vorm bevonden volmachten, omtrent de volgende artikelen zijn overeengekomen.

### ARTIKEL 1.

De onderhoorigen van elke der beide Hooge Contracteerende Partijen zullen dezelfde rechten genieten en kunnen niet aan andere lasten dan de burgers onderworpen worden ten opzichte van alles wat betreft de uitoefening hunner godsdienst, het drijven van handel en nijverheid en de bevoegdheid om goederen van allerlei soort te verkrijgen en te bezitten, en deze over te dragen door koop, ruil, schenking en erfopvolging bij uitersten wil en bij versterf, behoudens echter in dit laatste geval de toepassing van hunne eigene wet voor alles wat betrekking heeft op de

SUA MAESTÀ IL RE D'ITALIA, SUA ECCELLENZA IL PRESIDENTE della Repubblica Sud-Africana, volendo promuovere e consolidare le relazioni di amicizia e di commercio tra l'Italia e la Repubblica Sud-Africana ed avendo giudicato conveniente di negoziare, per tal fine, un Trattato, hanno nominato per Loro Plenipotenziarii: SUA MAESTÀ IL RE D'ITALIA, il signor Conte ENRICO DELLA CROCE DI DOJOLA, Grande Ufficiale dell' Ordine dei Santi Maurizio e Lazzaro e della Corona d'Italia e Suo Inviato straordinario e Ministro plenipotenziario presso Sua Maestà il Re dei Paesi Bassi: e SUA ECCELLENZA IL PRESIDENTE della Repubblica Sud-Africana, il signor Jonkheer GERARD BEELAERTS VAN BLOKLAND, Cavaliere dell' Ordine del Leone Neerlandese, Ministro Residente della Repubblica Sud-Africana presso la Germania, la Francia, il Portogallo, ecc., ecc., i quali, dopo avere scambiati i pieni poteri rispettivi, trovati in buona e debita forma, hanno convenuto negli Articoli seguenti:

### ARTICOLO 1.

I sudditi di ciascuna delle due Alte Parti contraenti avranno gli stessi diritti e non potranno essere assoggettati ad altri carichi che non sieno imposti ai nazionali per tutto ciò che concerne l'esercizio del loro culto religioso, l'esercizio del commercio e dell' industria e la facoltà di acquistare e di possedere beni d'ogni specie e di trasmetterli per vendita, permuta, donazione nonché per successione testamentaria ab intestato, salvo tuttavia, in questo ultimo caso l'applicazione della loro legge nazionale per tutto ciò che si riferisce alla validità intrinseca delle disposizioni testamentarie ed all'ordine delle successioni.

innerlijke geldigheid van de uiterste wilsbeschikkingen en van de bepalingen op de Orde van Erfopvolging.

In alle andere opzichten zal de persoonlijke toestand der wederzijdsche onderhoorigen geheel gelijk zijn aan die van de onderhoorigen der meest begunstigde natie.

#### ARTIKEL 2.

De voortbrengselen van den grond en de nijverheid van het Koninkrijk Italie en alle koopwaren uit dat Koninkrijk verzonden, zonder onderscheid van oorsprong, zullen in de Zuid-Afrikaansche Republiek de behandeling genieten, toepasselijk onder dezelfde omstandigheden op dergelijke voortbrengselen en koopwaren afkomstig van den meestbegunstigden Staat, behoudens de uitzondering vervat in het tweede lid van art. 7.

Wederkeerig zullen de voortbrengselen van den grond en de nijverheid van de Zuid-Afrikaansche Republiek en alle koopwaren, zonder onderscheid van oorsprong, uit die Republiek verzonden in het Koninkrijk Italie, de behandeling genieten toepasselijk in dezelfde omstandigheden op dergelijke voortbrengselen en koopwaren afkomstig van den meest begunstigten Staat.

De behandeling van den meest begunstigde Natie zal ook wederkeerig toegepast worden op alles wat den uitvoer en den doorvoer betreft.

#### ARTIKEL 3.

Elk der contracteerende partijen zal de bevoegdheid hebben om Consuls-Generaal, Consuls, Vice-Consuls en Consulaire Agenten te benoemen, die op het grondgebied van de andere Partij zullen verblijf houden, maar alvorens in functie te treden zal ieder benoemd Consul-Generaal, Consul, Vice-Consul en Consulaire Agent het exequatur moeten verkrijgen van de Regeering van het land waarin hij werkzaam zal moeten wezen, en elke der contracteerende Partijen zal het recht hebben om de plaatsen uit te zonderen, waar het haar niet gepast zal voorkomen om zoodanige ambtenaren toe te laten.

Dit voorbehoud evenwel zal niet toegepast worden op een der Hooge Contracteerende Partijen, zonder gelijkelijk te gelden voor elke andere mogendheid.

#### ARTIKEL 4.

De Diplomatieke Agenten, Consul-Generaals, Consuls, Vice-Consuls en Consulaire Agenten van elke der beide Hooge contracteerende Partijen, zullen wederkeerig, in de Staten van de andere Partij, alle bevoegdheden, ontheffingen en vrijdommen genieten, die door de Ambtenaren van diezelfde hoedanigheid van de meest begunstigde natie genoten worden en zullen worden.

In tutti gli altri riguardi la condizione personale dei sudditi rispettivi sarà completamente pareggiata a quella dei sudditi della nazione più favorita.

#### ARTICOLO 2.

I prodotti del Suolo e dell' industria del Regno d'Italia e tutte le merci, senza distinzione d'origine, spedite dal detto Regno, godranno, nella Repubblica Sud-Africana, del trattamento applicabile, nelle stesse circostanze, ai prodotti ed alle merci simili provenienti dallo Stato più favorito, salva l'eccezione contenuta nel secondo alinea dell' Articolo 7.

Reciprocamente i prodotti del suolo e dell' industria della Repubblica Sud-Africana tutte le merci, senza distinzione d'origine, spedite dalla Repubblica godranno, nel Regno d'Italia, del trattamento applicabile, nelle medesime condizioni, ai prodotti ed alle merci simili provenienti dallo Stato più favorito.

Il trattamento della nazione più favorita sarà, del pari, accordato, reciprocamente, in tutto ciò che si attiene all' esportazione ed al transito.

#### ARTICOLO 3.

Ciascuna delle Parti contraenti avrà facoltà di nominare Consoli Generali, Consoli, Vice-Consoli ed Agenti Consolari, i quali risiederanno sul territorio dell' altra, ma prima di entrare in funzione, ogni console generale, Console o Vice-Console o Agente Consolare nominato dovrà ottenere l'exequatur dal Governo del paese, nel quale dovrà esercitare le sue funzioni e ciascuna delle Partie contraenti avrà diritto di eccettuare i luoghi, nei quali non le convenisse di ammettere simili agenti.

Questa riserva, tuttavia, non sarà applicata ad una delle Alte Parti contraenti senza esserlo ugualmente ad ogni altra Potenza.

#### ARTICOLO 4.

Gli agenti diplomatici, Consoli-Generali, Consoli, Vice-Consoli ed Agenti Consolari di ciascuna delle due Alte Parti contraenti godranno, reciprocamente, negli Stati dell' altra di tutte le facoltà, esenzioni ed immunità di cui godono o godranno i funzionari della stessa qualità della nazione più favorita.



ARTIKEL 5.

In geval van overlijden van een onderhoorige van een der beide Hooge Contracteerende Partijen op het grondgebied van de andere Partij, zal de plaatselijke overheid daarvan onverwijld kennis hebben te geven aan de meest nabijzijnde Consulaire Agent, en wederkeerig zullen de Consulaire Agenten, ingeval zij met zoodanig overlijden het eerst bekend waren, daarvan bericht geven aan de plaatselijke overheid.

Indien de belanghebbenden bij de erfenis niet ter plaatse vertegenwoordigd zijn door een bekend erfgenaam in het volle bezit zijner burgerlijke rechten of op eenige andere wettelijke wijze, zullen de Consulaire Ambtenaren zoolang in deze vertegenwoordiging niet is voorzien, het recht hebben, om voor de bewaring en het beheer van de erfenis alle handelingen te verrichten, die de wet van het land, waar zij gevestigd zijn, toestaat aan executeurs-testamentair, of aan hen, die erfgenamen vertegenwoordigen, en met name om te verzegelen en te ontzegelen, eene boedelbeschrijving te maken de erfenis te beheeren, in één woord, om alle maatregelen te nemen, noodig als waarberg voor de belangen der erfgenamen.

De bevoegde plaatselijke overheid zal verwittigd worden van de verzegeling; zij kan daarbij tegenwoordig zijn en harerzijds verzegelen en in dat geval kan de onzegeling niet geschieden dan in gemeen overleg.

Indien echter de bevoegde plaatselijke overheid, na behoorlijk uitgenoodigd te zijn, niet verschijnt om de dubbele zegels weg te nemen binnen acht en veertig uren, te rekenen van het ontvangen der kennisgeving, zoo zal de consulaire Ambtenaar die werkzaamheid alléén kunnen verrichten.

Ingeval onderhoorigen van het land of van een derde mogendheid rechten hadden te doen gelden op de erfenis, of indien zich moeilijkheden voordeden, met name ten gevolge van eenige vordering die betwist werd, terwijl de consulaire Ambtenaren niet bevoegd zijn om deze moeilijkheden te beslissen of op te heffen, zullen de Rechtbanken van het land daarvan kennis hebben te nemen, naarmate het hunne taak is daarin te voorzien of daarover te oordeelen.

De consulaire Agenten zullen aan de Rechtbanken alle stukken overleggen, diens- tigt tot toelichting der zaak. Zij zullen de uitgesproken beslissing moeten ten uitvoer leggen indien men geen hooger beroep instelt, en zullen van rechtswege de verel- fening voortzetten, geschorst tot na den afloop van het geding.

ARTIKEL 6.

Wanneer een Italiaan in de Zuid-Afrikaansche Republiek of een onderhoorige van de Zuid-Afrikaansche Republiek in

ARTICOLO 5.

In caso di decesso di un suddito d'una delle due Alte Parti contraenti sul territorio dell' altra, le autorità locali dovranno immediatamente avvertirne l'agente consolare più vicino e, reciprocamente, gli agenti consolari, nel caso in cui ne fossero informati pei primi, ne avvertiranno le autorità locali.

Se gli interessati nella successione non sono rappresentati sul luogo da un erede conosciuto ed in pieno possesso dei suoi diritti civili od in qualche altro modo legale, gli agenti avranno, fino a tanto che non sarà stato provveduto a tale rappresentanza, il diritto di fare, per la conservazione e l'amministrazione della successione, tutti gli atti che la legge del paese, ove risiedono, permette agli esecutori testamentari od a quelli che rappresentano la successione e specialmente di porre e di levare i suggelli, di formare l'inventario, di amministrare la successione, in una parola, di prendere tutte le provisioni necessarie alla tutela degli interessi degli eredi.

L'autorità locale competente sarà avvertita della apposizione dei sigilli; essa potrà assistere ed in crociare i suoi, ed i doppi sigilli non potranno essere levati che di comune accordo.

Tuttavia, se l'autorità locale competente, dopo essere stata debitamente invitata, non si presenta per la levata dei doppi sigilli, entro quarantott' ore a partire dal ricevimento dell' avviso, l'autorità consolare potrà procedere sola a tale operazione.

Nel caso, in cui dei sudditi del paese o d'una terza Potenza avessero a far valere dei diritti nella successione, o se della difficoltà insorgessero, specie in seguito ad un qualche reclamo che dia luogo a contestazioni, gli agenti consolari non essendo autorizzati a terminare od a risolvere queste difficoltà, i tribunali del paese, dovranno conoscerne, secondo che loro spetta di provvedere o di giudicarli.

Gli agenti consolari rimetteranno ai tribunali tutti i documenti atti a gettare luce sulla questione.

Essi dovranno eseguire la sentenza pronunciata, se non si interpone appello, e continueranno, di pien diritto, la liquidazione che fosse stata sospesa fino alla conclusione della lite.

ARTICOLO 6.

Quando un italiano nella Repubblica Sud-Africana ed un suddito della Repubblica in Italia muore in una località dove non



Italië sterft op eene plaats, waar geen Consulaire Ambtenaar van zijne Natie is, zal de bevoegde plaatselijke Overheid, overeenkomstig de wet van het land, overgaan tot de boedelbeschrijving der zaken en de vereffening der goederen die hij zal hebben nagelaten, en zal gehouden zijn, om in den kortst mogelijken tijd rekenschap af te leggen van de uitkomst dezer handeling, aan het meest nabijzijnde Consulaat.

Maar zoodra de bevoegde Consulaire Ambtenaar zich persoonlijk zal hebben aangemeld of een gemachtigde ter plaatse zal hebben gezonden, zal de plaatselijke overheid, die zich de zaak heeft aangetrokken, zich hebben te gedragen naar de bepalingen van het voorgaand artikel.

#### ARTIKEL 7.

De bepalingen van art. 2, zijn niet toepasselijk op de bijzondere maatregelen, die elk der beide landen zich voorbehoudt te nemen met een sanitair oogmerk.

Op begunstigen die een der beide contracteerende Partijen heeft verleend of zoude verleen en aan onmiddellijk aangrenzende Staten of Koloniën tot gemakkelijk maken van het grensverkeer, kan de andere partij geen aanspraak maken zoolang deze begunstigen ook aan alle overige niet aangrenzende Staten of koloniën onthouden zijn.

Onder laatstgenoemde Staten is ook verstaan de niet aangrenzende beschermingsstaat van eene Kolonie aan welke begunstigen van de vermelde soort worden verleend.

#### ARTIKEL 8.

De bepalingen der voorafgaande artikelen zijn toepasselijk op de landen en landstreken waarmede de Zuid-Afrikaansche Republiek, eene toleenheid vormt of zal vormen.

#### ARTIKEL 9.

Indien eenige moeilijkheid mogt oprijzen ter zake van de uitlegging van dit tractaat, verbinden de beide Hooge contracteerende Partijen zich, daarover te laten beslissen door een Commissie van Scheidsrechters.

Deze Commissie zal samengesteld zijn uit een gelijk getal Scheidsrechters, gekozen door de Hooge contracteerende Partijen en uit een scheidsrechter gekozen door de Commissie zelve.

#### ARTIKEL 10.

Het tegenwoordige tractaat is gesloten voor zes jaren te rekenen van het uitwisselen der ratificatiën. Ingeval geene der beide Hooge contracteerende Partijen een jaar vóór het verstrijken van dien termijn hare bedoeling heeft doen kennen om de werking van het tractaat te doen ophouden,

trovasi agente consolare della sua nazione, l'autorità territoriale competente procederà, in conformità alla legislazione del paese, all' inventario degli effetti ed alla liquidazione dei beni che avrà lasciato e sarà tenuta a render conto nel più breve termine possibile, del risultato di tale operazione al Consolato più vicino.

Ma appena l'agente consolare competente si sarà presentato in persona od avrà inviato un delegato sui luoghi, l'autorità locale che sarà intervenuta dovrà conformarsi a quanto prescrive l'Articolo precedente.

#### ARTICOLO 7.

Le disposizioni dell' Articolo 2 non sono applicabili ai provvedimenti speciali che ciascuno dei due paesi si riserva di stabilire per iscopo sanitario.

I favori che una della due Parti contraenti avesse accordato o fosse per accordare a Stati o Colonie immediatamente confinanti per facilitare il commercio di frontiera non potranno essere pretesi dall'altra parte, fino a tanto che questi favori sieno recusati anche a tutti gli altri Stati e Colonie non limitrofi.

Fra questi ultimi si dovrà annoverare anche lo Stato non finitimo protettore di una Colonia alla quale venissero accordate facilitazioni della specie indicata.

#### ARTICOLO 8.

Le disposizioni degli Articoli precedenti sono applicabili ai paesi o territori coi quali la Repubblica Sud-Africana forma o formerà una unione doganale.

#### ARTICOLO 9.

Se sorgesse qualche difficoltà in ordine alla interpretazione di questo Trattato, le due Alte Parti contraenti s'impegnano a deferire la questione ad una Commissione arbitrale.

Questa Commissione si comporrà di un numero uguale d'arbitri scelti dalle Alte Parti contraenti e d'un arbitro scelto dalla Commissione medesima.

#### ARTICOLO 10.

Il presente Trattato è concluso per sei anni a partire dallo scambio delle ratifiche. Nel caso in cui nè l'una nè l'altra Parte contraente, avesse notificato, un anno avanti la scadenza di questo termine, la sua intenzione di farne cessare gli effetti, il Trattato continuerà ad essere obbligatorio fino allo



zal het tractaat van kracht blijven tot na het verstrijken van een jaar, gerekend van den dag, dat eene der Partijen het zal hebben opgezegd.

ARTIKEL 11.

Het tegenwoordig tractaat zal geratificeerd worden en de ratificatien zullen zoodra mogelijk worden uitgewisseld, namelijk zoodra de formaliteiten, voorgeschreven door de wetten van de beide Staten vervuld zijn.

Ter oorkonde waarvan de bovengenoemde Gevolmachtigden het tegenwoordig tractaat hebben onderteekend en van hun zegel voorzien.

Gedaan in dubbel origineel te 'sGravenhage den 6den van de maand October 1886.

(w.g.) BEELAERTS VAN BLOKLAND.

(w.g.) E. DELLA CROCE.

P R O T O C O L.

De Gevolmachtigden van de beide Hooge Contracteerende Partijen zijn, op het oogenblik van het onderteekenen van het Tractaat van Vriendschap en Koophandel tusschen de Zuid-Afrikaansche Republiek en Italie het volgende overeengekomen.

Gelet op de bepaling van artikel 4 van de Conventie van Londen van 27 Februari 1884 is het verstaan, dat het tractaat eerst zal worden geratificeerd na de uitdrukkelijke of stilzwijgende goedkeuring van de Britsche Regeering.

Die goedkeuring zal aan de Italiaansche Regeering worden medegedeeld door de Regeering van de Zuid-Afrikaansche Republiek.

Ter oorkonde waarvan de bovengemelde Gevolmachtigden het tegenwoordig protocol hebben onderteekend en van hun zegel voorzien.

Gedaan in dubbel origineel te 'sGravenhage den 6den van de maand October 1886.

(w.g.) BEELAERTS VAN BLOKLAND.

(w.g.) E. DELLA CROCE.

spirare di un anno, dal giorno in cui una delle Parti lo avrà denunciato.

ARTICOLO 11.

Il presente Trattato sarà ratificato e le ratifiche di esso saranno scambiate al più presto possibile, appena, cioè le formalità prescritte dalle leggi dei due Stati contraenti saranno state adempiute.

In fede de che, i summenzionati plenipotenziari hanno firmato il presente Trattato e vi hanno apposto i loro suggelli.

Fatto in doppio originale all' Aja, addi 6 del mese di Ottobre 1886.

(l.s.) BEELAERTS VAN BLOKLAND.

» E. DELLA CROCE.

P R O T O C O L L O.

I Plenipotenziari delle due Alte Parti contraenti, al momento di firmare il Trattato di amicizia e di commercio tra l'Italia e la Repubblica Sud-Africana, hanno convenuto di quanto segue:

Avuto riguardo alle disposizioni dell' Articolo 4 della Convenzione di Londra del 27 febbrajo 1884, resta inteso che il Trattato sarà ratificato soltanto dopo la sua approvazione espressa o tacita per parte del Governo Britannico.

Tale approvazione sarà comunicata al Governo italiano da quello della Repubblica Sud-Africana.

In fede di che, i summenzionati Plenipotenziari hanno firmato il presente Protocollo e vi hanno apposto i loro suggelli.

Fatto in doppio originale all' Aja, addi 6 del mese di Ottobre 1886.

(l.s.) BEELAERTS VAN BLOKLAND.

» E. DELLA CROCE.

o.148/99.



CONSULATE OF THE UNITED STATES  
OF AMERICA.

Pretoria, S.A.R.,

February 25th, 1899.

SP: COM. PLENIPO.
R April 14, 1899
A Return some date.

Hon. John Hay,

Secretary of State,

Washington, U.S.A.

S i r :

Supplementary to my despatch No.23 of February 18, 1899, I have the honour to say that I find that on the item "Grain, meal and flour" there is a special import duty of seven and one-half per cent, ad valorem.

I have the honour to be,

Sir,

Your most obedient servant,

United States Consul.

*N. No. 24!*



*Consulate of the United States,*

Pretoria, S.A.R., March 11th, 1898.

*Mr. Macrum,*

*To the Department of State.*



*Acc'd  
Apr. 14/99*

*Subject:*

Change in Bond of Mr. E.A. van Ameringen.

*Abstract of Contents.*

In response to Despatch No. 18.-- What is meant by the words  
"permanent residents of the United States".-- Must sureties have  
property in the United States.--

*Consulate of the United States,*

Pretoria, S.A.R., March 11th, 1899.

*Honorable* David J. Hill,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

Referring to your despatch No. 18, of January 28th, 1899,

relative to the change in the form of, and the necessary sureties

on, the bond of Mr. van Ameringen as Vice-Consul at Pretoria, I

have the honour to request information as to what is meant by the

words "permanent residents of the United States"; whether this

means citizens of the United States who are residing for a few

years in a foreign land, but have still the intention to return

to live permanently in the United States, or if it means those

now living in the United States. In any case, must sureties

own property in the United States sufficient to cover the amount

of the security? Mr. van Ameringen informs me that while he

can hardly obtain sureties now living in the U.S., he has no

trouble in getting well-to-do American citizens here, who may

not have property at home.

I have the honour to be, Sir,

Your obedient servant,

  
United States Consul.



No. 25.

*File* *Sheets*  
*Consulate of the United States,*



Pretoria, S.A.R., April 1st, 1899.

*Mr. Macrum,*

*To the Department of State.*

MAY 4 1899

*Subject:*

In re Nelson Thompson vs S.A.R. Government.

*Ans*  
*May 6*  
*1899*

*Abstract of Contents.*

Referring to my despatch No.21 of Feb.4,1899.-- Copy of translation of letter from S.A.R. Gov't.-- Copy of Thompson's reply thereto.-- I think Thompson's claim is just and some action seems necessary for safety of Americans.

TRANSLATION.

In continuance of my letter of February 1st, 1898, and in further answer to yours of the 30th of January, having reference to a claim for damage of an American citizen, Nelson Thompson, I have the honour to say that this Government has made an investigation of the circumstances in this case, the following being the result:

The 26th of October, 1897, the police at Fort Hendrina (Zoutpansburg) were informed that a certain A. Hug had been robbed by five persons. A summons was thereupon issued for the arrest of the five accused, among which was the said Nelson Thompson, and they were arrested and in consequence their friends against the police they (the police) were obliged to fire on them and one was killed, and the others got out on them to take them away. In this connection a policeman Venter having ill-treated Thompson has not been shown at trial and he (Thompson) has never before complained of it.

It is to be regretted that every chance is given the accused to defend themselves, and if Thompson's attorney has not followed his instructions to get witnesses, for this the Government can not be held responsible.

Of the five of the accused were two witnesses called up, one of them declared that Thompson promised him five pounds if he was going to make a declaration.

The Public Prosecutor at Pietersburg, where the case was tried, has received from the persons in question several different documents and sundries, also five revolvers, four horses and four saddles. The horses and saddles, according to their request, were handed over to their attorney. Their money to the amount of £46/7/7 has been paid by order of the court to the constable of the court in part payment of settlement of judgement taken by Attorney van Eenon against them for defending them. The documents and sundries were handed over to them, with the exception of the revolvers, these were not because they had been found to be stolen, but because no duty had been paid on them. These revolvers are still in the possession of the Public Prosecutor at Pietersburg.

This Government has been further informed by the States Attorney that the case against Nelson Thompson, as he calls himself at present,

(--at

TRANSLATION.

In continuence of my letter of February 1st, 1898, and in further answer to yours of the 30th of January, having reference to a claim for damage of an American citizen, Nelson Thompson, I have the honour to say that this Government has made an investigation of the circumstances in this case, the following being the result:

The 26th of October, 1897, the police at Fort Hendrina (Zoutpansburg) were informed that a certain A. Hug had been robbed by five persons. A summons was thereupon issued for the arrest of the five accused, among which was the said Nelson Thompson, and they were arrested and in consequence of their fighting against the police they (the police) were obliged to fire on them and one was killed, and the ~~carcasses~~ put on them to take them away. In that connection the policeman Venter having illtreated Thompson has not been shown at trial and he (Thompson) has never before complained of it.

At the trial every chance was given the accused to defend themselves, and if Thompson's attorney has not followed his instructions to get witnesses, for this the Government can not be held responsible.

Of the five of the accused were two witnesses called up, one of them declared that Thompson promised him £100 in case he was going to make a declaration.

The Public Prosecutor at Pietersburg, where the case was tried, has received from the persons in question several different documents and sundries, also five revolvers, four horses and four saddles. The horses and saddles, according to their request, have been handed over to their attorney. Their money to the amount of £46/7/7 has been paid by order of the court to the constable of the court in part payment of settlement of judgement taken by Attorney van Soenen against them for defending them. The documents and sundries were handed over to them, with the exception of the revolvers, these were not because they had been used to kill Hug, and also because no duty had been paid on them. These revolvers are still in the possession of the Public Prosecutor at Pietersburg.

This Government has been further informed by the States Attorney that the case against Nelson Thompson, as he calls himself at present,

(--at

at the time of his arrest he called himself Captain Nelson--has been clearly proven and for that reason they dont feel justified in paying the claim for damages.

I might add to this that Nelson Thompson alias Captain Nelson and his four friends are known outside this Republic as bandits. This has been proved by a telegram from a Justice of the Peace at Francistown to the Public Prosecutor at Pietersburg. For your guidance I enclose herewith copy thereof.

COPY OF TELEGRAM REFERRED TO ABOVE.

Francetown, November 23rd, 1897.

from

to

J.P. Francetown,

Public Prosecutor, Pietersburg.

Robbers referred to in your telegram are undoubtedly same parties who tried to obtain money under false pretences here, also made an attempt to steal horses from Komarch about September 25th and fired on native guards. They stole five horses from one McKinley at Francetown. The following night they threatened several persons with bodily injury, made armed resistance to the police here on Sept. 25th, escaping from arrest. Further I understand they held up a store near Hamaquebane. Names of men were Lilly White, tall man fair moustache; Maloney, short man sandy moustache; Thompson, thin man medium height American accent; Vanburg, above medium height sandy moustache Colonial born; and another name unknown.

10-2-98  
J.P. Francetown  
Public Prosecutor  
Pietersburg





Enclosure # 2  
in Dispatch # 25

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UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

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225/99.



CONSULATE OF THE UNITED STATES  
OF AMERICA

Pretoria, S.A.R.,

April 11th, 1899.

Hon. David J. Hill,  
Assistant Secretary of State,  
Washington, U.S.A.

Sir:

Referring to your communication of July 2nd, 1898, granting to this office an allowance of \$300 for messenger service for the fiscal year ending June 30th, 1899, I have the honour to request a renewal of this order in accordance with the last clause thereof, viz: "This allowance will cease on June 30th, 1899, unless it be expressly renewed on or before that date."

I have the honour to be,

Sir,

Your obedient servant,

United States Consul.

25.

CONFIDENTIAL.



Consulate of the United States,

Pretoria, S.A.R., April 16th, 1899.

Honorable David J. Hill,

Assistant Secretary of State

*Ans. code sent May 24, 1899. MAY 22 '99*

Washington, D. C.

Sir:

I have the honour to inform you that the situation here between the British subjects resident in this country and the Government of the Transvaal is rather critical at this time, and a serious outcome is looked for.

I have just had a conference with a gentleman who is very close to the Government fountainhead, who informs me that the Dutch here look for quite a serious time before the trouble is settled, and indeed many of them do not think a settlement possible without a resort to arms. It would be useless for me to go over the whole matter now, as it has, without doubt, come to your notice through the medium of the cables long ere this reaches you; but we have in this country some 2500 to 3000 American citizens and if the worst comes many of them will be in a bad plight, as was the condition of many of the non-combatants during the Jamison raid, which was of much shorter duration than the prospective trouble now, if it comes, can possibly be. Food supplies will be, beyond any question, scarce, not to say utterly unobtainable.

Of course if this contingency should arise you would know it at home almost as soon as we, and I trust you will take steps to cable instructions fully in the matter, as well as to give me proper instructions by mail if sufficient time is allowed.

I have no copy of the cable code and think I should

(have



have one. If sent to me, it would be wise, I think, to send it under registry to Col. Stowe at Cape Town, who will forward it to me by the most practicable route.

It is to be sincerely hoped that trouble may be averted, but the tension is so great here that something must snap before long, and I do not think those away from here realize the magnitude of the trouble as well as we who are on the ground.

The truth is that the people who have caused all this ferment are, in the greater part, a lot of floating irresponsibles who are never happy unless stirring up strife, and who, by misrepresentations, have entangled in their schemes some of a better class.

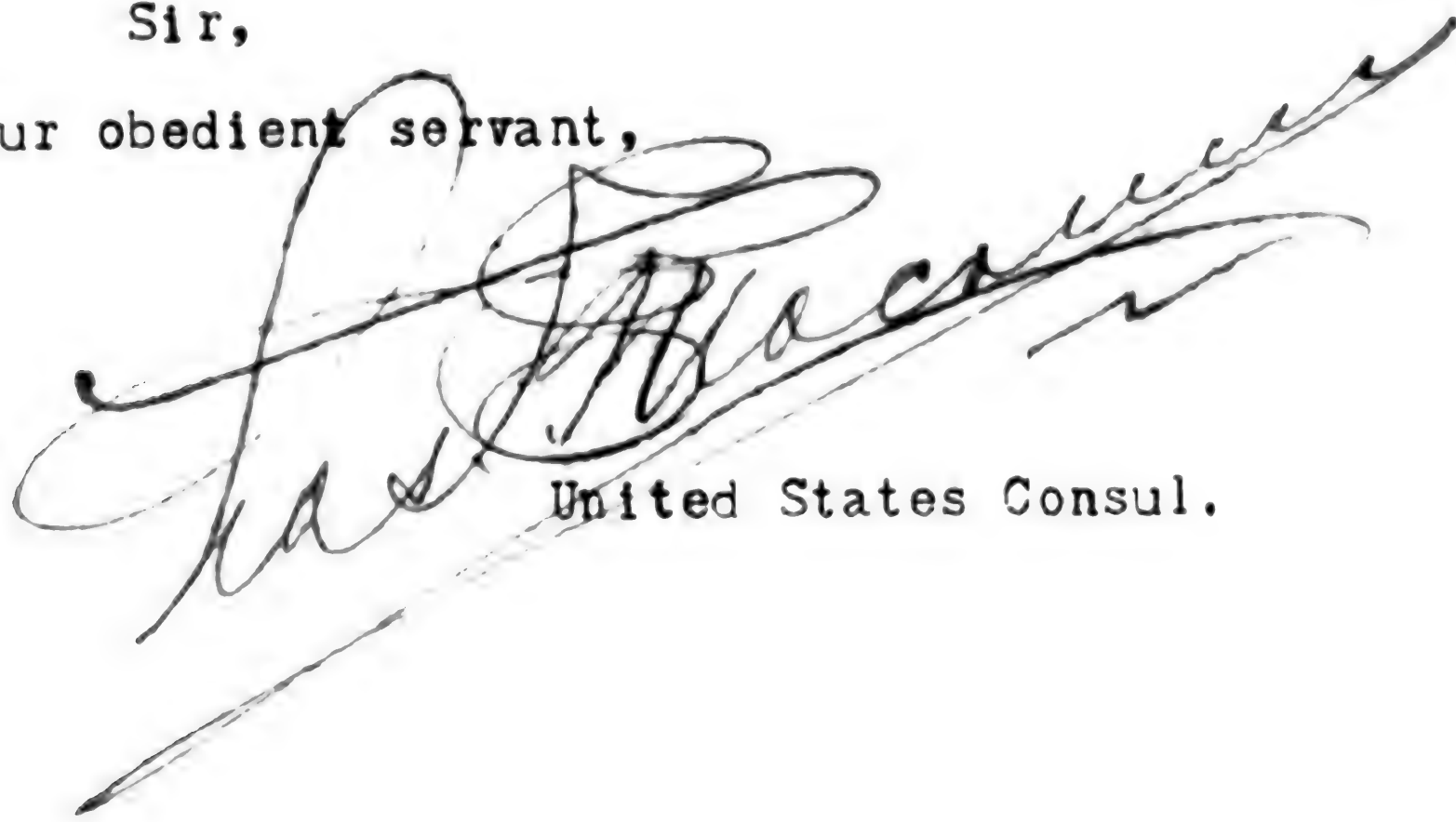
I am glad to say that as a rule our citizens do not take kindly to such a leadership and to a great extent take sides with the Dutch as against the Leaguers.

I shall have the honour of reporting on the situation again by next week's mail.

I have the honour to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, likely of the United States Consul, is written over the typed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

United States Consul.

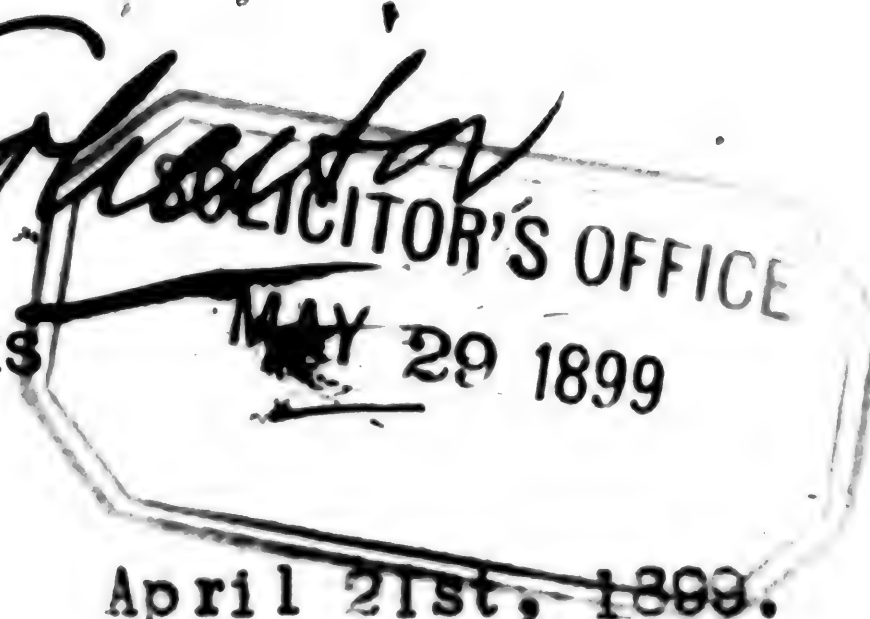
244/99.



CONSULATE OF THE UNITED STATES  
OF AMERICA.

Pretoria, S.A.R.,

April 21st, 1899.



Hon. Thos. W. Cridler,

Third Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt, on todays mail, of your despatch No.23, of March 18th, 1899, in re claim of Nelson Thompson vs the Government of the South African Republic, and would say that I submitted further information in my No.25, to which I am awaiting a reply.

I have nothing further to report in the matter at this time.

I have the honour to be,

Sir,

Your obedient servant,

United States Consul.

MAY 29 1899

Ack'd by  
form  
June 1  
1899

No. 26.

CONFIDENTIAL.

*Ans Bureau*



*Consulate of the United States,*  
*Pretoria, S.A.R., April 25th, 1899.*

Pretoria, S.A.R., April 25th, 1899.

Mr. Macrum.

To the Department of State.



Subject:

The Situation in the Transvaal.

*ACK by subject*

*Ans*  
*June 6*  
*1899*

*Abstract of Contents.*

In continuation of my despatch No.25.-- Speeches in Parliament advocating increase of garrison at the Cape has intensified the feeling of the Dutch here against the English.-- Negotiations pending between capitalists and the local Government.-- Removal of Asiatics to locations postponed until June 30th, 1899.-- The National Legislature convenes on Monday, May 1st, 1899.-- There is a rumor that this body may attempt a settlement of difficulties.

*Consulate of the United States,*

Pretoria, S.A.R., April 25th, 1899.

*Honorable David J. Hill,**Assistant Secretary of State,**Washington, D. C.**Sir:*

In continuation of my despatch of the 16th instant, No. 25. I have the honour to report that so far as I can learn nothing new bearing on the local relations between the Dutch and English has transpired within the last week, except that the cable reports of the speeches in the House of Commons within the last week has served to somewhat intensify the feeling against the British subjects here on the part of the Transvaalers, especially those speeches with reference to the increase of the troops at the Cape, advocated by the Government. I may also mention that negotiations are pending between the several capitalist groups here and the local Government respecting a settlement of their differences. The removal of the Asiatics to locations outside has been postponed until the 30th of June next. Thus one of the causes of trouble has been put a month further off.

The Raad (national legislature) convenes in regular session next Monday, May 1st; and it is thought they may take some conciliatory measures.

I have the honour to be,

Sir,

Your obedient servant.



United States Consul.



27.

*Ans Bureau*  
*ack by sub*

*Consulate of the United States,*



Pretoria, S.A.R., May 6th, 1899.



*Mr. Charles E. Macrum,*

*To the Department of State.*

*Subject:*

The Situation in the Transvaal.

*Ans*  
*June 9*  
*1899*

*Abstract of Contents.*

Enclosing a copy of a Petition on request of the Foreign Secretary.-- Opening of the Volksraad and the President's speech.--

No. 27.

*Consulate of the United States,*

Pretoria, S.A.B.. May 6th, 1899.

*Honorable* David J. Hill,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to inform you that I am in receipt of a letter from the Foreign Secretary here, copy of which with a translation I herewith enclose, enclosing to me a petition to the Government from about 9,000 "Uitlanders" residing in this Republic, which he requests that I transmit to my Government, and which I also enclose as per his request.

I have the honour to say further that I attended, by invitation, the formal opening of the "Volksraad" (Legislature) on last Monday, May 1st, at which President Kruger, in his opening speech said practically nothing that would indicate his intentions with reference to the present crisis.

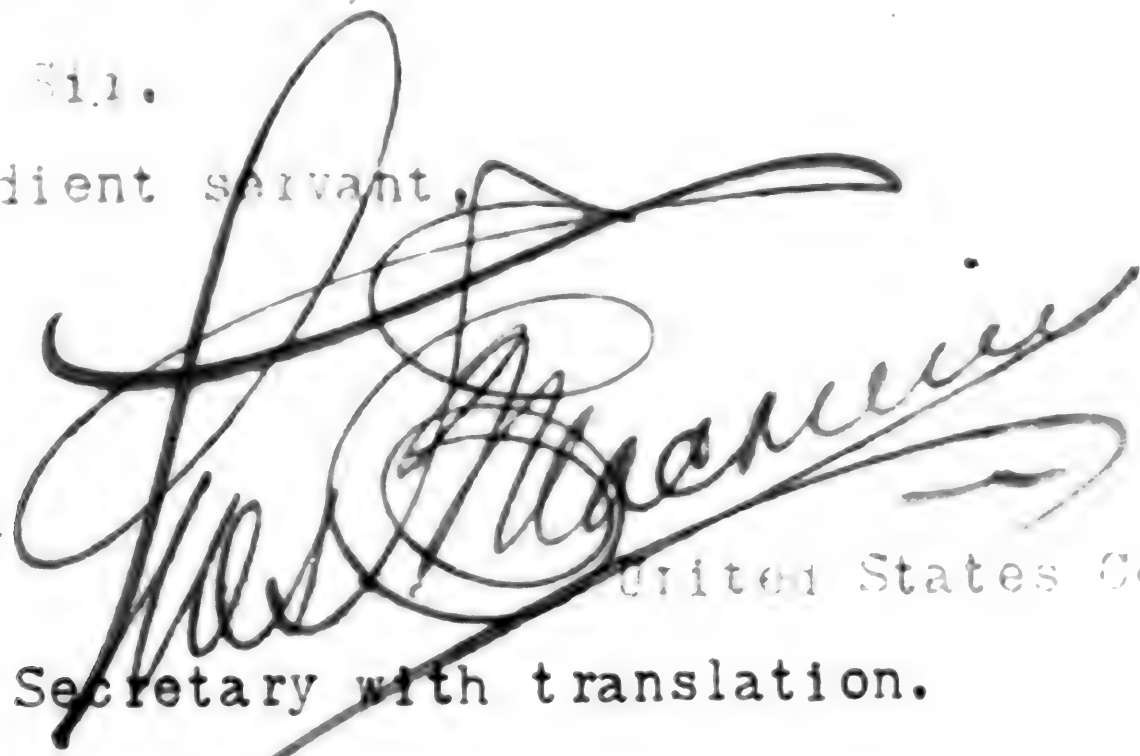
The "Progressive" faction is dominant in the present session, and have obtained the organization. This fact is taken as a pleasing indication generally, although nothing has as yet been done to indicate an outline of the policy to be adopted.

I enclose copy of President Krugers speech with translation.

I have the honour to be,

Sir,

Your obedient servant,



Enclosures:

United States Consul.

Letter from Foreign Secretary with translation.

Copy of Petition.

President's Speech with translation.

(COPY.)

Pretoria, 5 Mai 1899.

WelEdelGestrenge Heer,

Ik heb de eer U hierby mede te deelen dat by deze Regeering eene petitie is ingekomen van Amerikaansche, Britsche, Duitse, Fransche en Nederlandsche onderdanen in dezen Staat woonachtig gericht aan Zyn Hoog Edele den Staatspresident en de Leden van den Edelachtbaren Uitvoerende Raad, met circa 8000 handteekening, terwyl er nog steeds meerdere inkomen.

Ingevolge de laatste alinea van die petitie, sluit ik hierby een afschrift daarvan in, met het verzoek hetzelve aan Uwe Regeering te willen doorzenden.

Ik heb de eer te zyn,

UwEdelGestr.Dienstw.Dienaar.

Voor Staatssecretaris,

(signed)

H. C. ten Haaf,

V.Onderstaatssecretaris,

Buitenlandsche Zaken.

WelEdelGestrengen Heer,

Ch. E. Macrum,

Consul der Vereenigde Staten van Noord Amerika,

P R E T O R I A.

NOTATION.-----

Pretoria, May 5th, 1899.

Honourable Sir,

I have the honour to inform you hereby that this Government has received a petition from American, British, German, French and Netherland subjects living in this State, addressed to His Honour the State President and the members of The Honourable Executive Council, with nearly 9,000 signatures and with more coming in.

In consequence of the last clause of this petition I enclose you a copy of it, kindly requesting you to forward it to your Government.

I have the honour to be,

Your Honours Humble Servant,

For State Secretary,

(signed)

• H. C. ten Haaf,

For Under State Secretary

for Foreign Affairs.

To the Honourable Mr.

Ch. E. Macrum,

Consul of the United States of North America,

-----P R E T O R I A .-----



AAN Z.F.ED. DE STAATSPRESIDENT EN ED. ACHTBARE LEDEN VAN DE UITVOER-  
rende Raad der Zuid Afrikaansche Republiek.

Edeel Achtbare Heeren.

Uwe petitionarissen submitteeren met den meest verschuldigten  
eerbied de navolgende feiten onder Uwe aandacht :

Dat zy allen uitlanders zyn, Britse onderdanen, Amerikanen, Duitschers  
Franschen en Hollanders en onderdanen van andere nationaliteiten;

Dat zy vernomen hebben dat van Johannesburg een groote petitie,  
onderteeekend met 21,000 naanteekeningen, verzonden is aan E.M. de Ko-  
ningin van Engeland, hetwelk ons geheel en al onbekend is;

Dat in gemelde petitie zoude beweerd zyn, dat de E.M. Regeering  
der Z.A. Republiek hun geen genoegzame protektie geeft van leven en  
eigendommen, en dat daardoor hun leven en goed in gevaar is, hetwelk  
wy mits dezen ontkennen;

Dat die petitie verder voorgeeft dat de algemeene administratie  
hier te lande slecht en nadeelig is voor hen en voor het land, het -  
welk wy ook ontkennen;

Dat Uwe petitionarissen uit geloofbare bronnen vernomen hebben  
dat de petitie aan E.M. de Koningin van Engeland veroorzaakt is door  
de kapitalisten, niet door het publiek, en dat, indien de kapitalisten  
hun oogmerk bereiken, dit nadeelig zou zyn voor het gehele publiek,  
de uitlanders meegerekend;

Dat Uwe petitionarissen aan Zyn Hoog Edele en Uw Edel Achtbare  
Heeren de volle verzekering geven dat zy volkomen tevreden zyn met  
het Gouvernement van dezen Staat en met de administratie, en dat wy  
geen andere Regeering verlangen; wy zeggen niet dit Gouvernement is  
zonder fouten, maar wy weten en vertrouwen dat, indien er eenige grief  
mocht bestaan, wy die uit den weg kunnen ruimen tusschen ons en het  
Gouvernement, zonder tusschenkomst van eenig vreemd Gouvernement of  
zonder advies der kapitalisten;

Weshalve Uwe petitionarissen eerbiedig U Hoog Edele Heeren ver-  
zoeken om afschrift te willen zenden van deze petitie aan de Regee-  
ringen waarvan wy onderdanen zyn, respectievelyk aan de Engelsche,  
Amerikaansche, Duitse, Fransche en Nederlandsche Regeeringen, en wy  
hopen daardoor alle misverstand en valsche voorstellingen en zooge-  
naamde grieven voor altyd en eenmaal uit den weg te ruimen.

't Welk doende, enz.



TO HIS HONOR THE STATE PRESIDENT AND HONORABLE MEMBERS OF THE  
Executive Council of the S. A. Republic.

Honourable Gentlemen,

Your petitioners beg to submit the following facts for your consideration.

That they are all "Uitlanders" - British, American, German, French Dutch and subjects of other nationalities.

That we have been informed that a very large petition, signed by 21,000 individuals, has been sent to Her Gracious Majesty the Queen of England, and which we know nothing about, and that it is alleged in the said petition that the Honorable Government of the South African Republic gives no protection to life or property, and that their lives and property are in jeopardy, which we herewith most emphatically deny.

That the said petition further states that the general administration is so bad and detrimental for them and for the country, which we also deny.

That your petitioners have gathered from very reliable sources that the petition to Her Majesty the Queen of England has been caused by the Capitalists, not by the public, and that if the Capitalists attain their object, that it would be detrimental to the whole public, including the "Uitlanders".

That your petitioners wish to give your Honors the fullest assurance that they are perfectly satisfied with the Government of this State, and with the administration thereof, and that we wish to have no other Government. We do not say that this Government is without its faults, but we know and trust that if any grievance did exist that the same could be removed between us and the Government without the interference of any foreign Power, and without the advice of Capitalists.

Wherefore your petitioners humbly pray that your Honors will send copies of this petition to the different Governments to which we belong, respectively to the English, American, German, French and Netherlands Governments, and we hope that by doing so all misunderstanding and false reports or rumors and alleged grievances may be lost sight of for all time to come.

By doing which, etc.



# AANSpraak

VAN

Zijn HoogEdele den Staatspresident S. J. P. KRUGER

BIJ DE OPENING DER

GEWONE JAARLIJSCH E VERGADERINGEN

VAN DEN

HEd.Achth. Eersten en den HEd.Achth. Tweeden Volksraad

DER

ZUID-AFRIKAANSCH E REPUBLIEK,

in Vereenigde Zitting te Pretoria, op den 1sten Mei 1899.

---

*Aan den HEd.Achth. Heer Voorzitter van den Ed.Achth. Eersten Volksraad  
en aan den Ed.Achth. Leden van den Eersten en Tweeden Volksraad.*

*Mijne Heeren.*

Het is mij wederom -hoogst aangenaam U hartelijk welkom te mogen heeten in deze Uwe Vergaderzaal en mijn hartelijken dank uit te brengen aan dien God, die het heelal bestuurt en die U allen gespaard en bewaard heeft, om nogmaals met Zijn hulp al uwe krachten te kunnen geven aan de belangen van ons dierbaar Land en Volk.

1. Daar waar volgens rooster verschillende leden van UEd. Achth. Vergadering het vorige jaar zijn afgetreden, heb ik nieuwe electies geopend voor leden van den Ed.Achth. Eersten en Tweeden Volksraad.

De uitslag dier electies zal U worden voorgelegd.

2. Daar de vacature, ontstaande door de verkiezing van den heer A. D. W. Wolmarans tot lid van den Uitvoerenden Raad, zoo spoedig mogelijk opgevuld moest worden, heb ik een electie uitgeschreven voor het kiezen van een nieuw lid voor het dorp en district Pretoria.

De uitslag dier electie zal U nader worden bekend gemaakt.



21. Ingevolge uwe opdracht zal de Regeering andermaal een Pensioenwet voor UEd.Achth. Vergadering ter behandeling voorleggen. Ik hoop dat deze Wet uwe ernstige consideratie zal genieten.

22. Het was mij vergund eenige districten en dorpen te bezoeken en bijeenkomsten te houden op de volgende plaatsen: Heidelberg, Rustenburg en Johannesburg.

Ik hoop in deze zitting uwe aandacht te bepalen bij de begeerten en wenschen der burgers, voor zoover die onder mijn aandacht zijn gebracht.

23. Uit de verschillende rapporten is het de Regeering gebleken dat ongeveer 746,500 runderen aan de pest zijn bezweken. Tot mijn groote dankbaarheid echter kan ik U mededeelen dat die zoo gevreesde ziekte als geheel geweken beschouwd kan worden. Slechts te Lijdenburg, Krugersdorp en Piet-Retief deden zich in Januari j.l. nog eenige gevallen voor, doch door de onmiddellijke nakoming van de verordeningen, vervat in de Proclamatie, en door de goedheid der Voorzienigheid, heeft het zich daarbij bepaald en geen verdere verspreiding van de ziekte tengevolge gehad.

24. De Regeering heeft order gegeven tot het opnemen van plaatsen voor besproeiingsdoeleinden en zal het verslag daarvan U worden voorgelegd.

25. Een lijst van nieuw aangestelde, afgetreden, geschorste en ontslagen ambtenaren zal aan uwe goedkeuring worden onderworpen.

26. De verschillende Verslagen van de Hoofden van Departementen zullen aan U worden voorgelegd.

27. Verschillende Wetsvoorstellen en Wetswijzigingen zullen aan uwe goedkeuring worden onderworpen.

28. De Regeering heeft, voor zoover haar zulks mogelijk was, uitvoering gegeven aan de opdrachten haar door uwe Hooge Vergadering gegeven, zooals U zal blijken uit de voor te leggen stukken en rapporten.

29. De Regeering stelt zich voor gedurende den loop dezer zitting uwe aandacht te bepalen bij verschillende zaken van meer of minder belang voor uwe consideratie en beslissing.

En hiermede, mijne heeren, leg ik andermaal en met vertrouwen de belangen van ons dierbaar Land en Volk in uwe handen. God geve U de noodige kracht en wijsheid om de zaken, welke door U ter hand zullen worden genomen, onder Zijn hoogen zegen te regelen tot bloei en welvaart van Land en Volk.

S. J. P. KRUGER,  
Staatspresident.



# TRANSLATION OF PRESIDENT TRUGER'S SPEECH AT

## THE OPENING OF THE VOLKSRAAD OF

### SOUTH AFRICAN REPUBLIC

MAY 1st, 1899.

Gentlemen,—It is again a great pleasure to me to bid you welcome in this your Assembly Hall, and to express my heartfelt gratitude to that God Who governs the universe and Who has spared all of you to devote all your powers, with His help, to the interests of our dear Land and Volk.

1. Where, according to register, different members of your Honourable Assembly retired last year, I have opened fresh elections for members of the First and Second Raads. The result of these elections will be laid before you.

2. As the vacancy caused by the retirement of Mr. A. D. W. Wolmarans, who was elected a member of the Executive Council, had to be filled up as speedily as possible, I have caused a fresh election to take place for a new member for the town and district of Pretoria. The result of this election will be made known to you later.

3. The time of service of Mr. S. W. Burger, member of the Executive Council, will expire on the 6th inst. I therefore request you to fill the vacancy before that date, and allow me to remind you that the present office-holder is re-eligible.

4. I hope during this sitting, as early as possible, to direct your attention to certain proposals which I desire to make to you with reference to the franchise, bewaarplaatsen, and dynamite.

5. It is a great pleasure to me to be able to state anew that the Republic continues to stand in a friendly relation to the Foreign Powers. The correspondence between our and the British Government, arising from the difference of opinion regarding the international position of the Republic as against Great Britain and Ireland, has not yet concluded; I trust, however, that this matter will speedily be brought to a satisfactory issue.

It is my constant aim to do everything in my power to maintain the stability of these good relations.

6. The Council of Deputies held its annual sitting this year at Bloemfontein. The report with the recommendations of this body will be submitted to you. Those recommendations, of which this Government approves, deserve your serious consideration.

7. Pursuant to the resolutions of your Honourable Assembly regarding the recommendations of the Council of Deputies during 1898, Commissions were appointed by the Governments of the Republics in order to try to make the Constitutions of both States as uniform as possible. These Commissions met during February last at Pretoria. The report of their proceedings will be submitted to you.

A Commission, consisting of the Chief Justices of the two Republics, has undertaken to make further proposals regarding uniformity of the laws, in accordance with your resolutions during the last session. This important work requires, however, extensive consideration and mature deliberation, and this Commission has not yet completed a work, which, when once accepted as law by the representatives of the people of both States will certainly promote the welfare and prosperity of both sister Republics.

8. Negotiations have been opened with the Orange Free State Government with reference to the payment of registration fees for goods, which, according to treaties, are exempt from Customs duties in the South African Republic. This was done in accordance with your resolution, Article 1,365 of October 4, 1898. These negotiations have led to a provisional agreement between the Governments of both States, which will be submitted to you for confirmation.

9. With a view to the threatening danger that the bubonic plague would visit also South Africa, a Conference of representatives of the Orange Free State, Mozambique, Natal, and the Cape Colony, was held at the invitation of this Government, at Pretoria, in the beginning of this year, for the purpose of devising means to prevent the entrance and spread of the Asiatic plague in South Africa. The report of the proceedings, which you will no doubt receive with interest, will be submitted to you this session for confirmation of the recommendations and proposals contained therein.

10. An invitation has been received from the Government of the German Empire to depute a representative of the Republic to attend an international Veterinary Art Conference, which will be held at Baden-Baden during August next. Considering that this Conference can be of great importance also to the Republic, the Government has decided to depute the Government Veterinary Surgeon as its representative, which action, I hope, you will approve of. He will, at the same time, study the bubonic plague and the different remedies.

11. I can inform you that earnest endeavours are being made, and that negotiations are already in progress for the appointment of a capable financier for the South African Republic.

12. It pleases me very much to be able to inform you that great progress was made last year in commerce, especially during the first quarter, as appears from the increased revenue of the State.

13. I draw your attention to your resolution, Article 20, of March 10, 1899, with reference to the granting of a bonus to the retired member of the Executive Council, Mr. J. M. A. Wolmarans. I have to express my sincere regret that he has been forced to resign by the state of his health, he having always been a great support in the Executive Council, on account of his clear sightedness, active power, and great love for his country, where he continually proved to support the true interests of "Land en Volk"; and I cannot neglect thanking him for the great deal he has done, trusting that you will pass a favourable resolution upon the request already made by me, as contained in the Government missive of March 10, 1899.

14. The Executive Council has considered it necessary to send a commando against the rebellious tribe, Namapoosman, under Christain Mpele, in the district Zoutpansoerg. I cannot praise enough the courage, leadership, and sagacity of our Commandant-General and officers to bring this war to a satisfactory termination, and the good and brave conduct of our burghers, and to congratulate us all upon the quick and decisive manner in which this rebellion has been suppressed. We regret that also this commando has again demanded some valuable victims, and our sympathy rests with the bereaved. On the spot where the laagers were, the Government has established a dorp with the name of Louis Trichardt, and I am convinced that you will approve of the Government's action.

15. As the Netherlands Railway Company has decided to return the £2,000,000 borrowed from the Government, there is no necessity for the Government to raise a loan at present.

16. On behalf of myself and the Executive Council, I must express our high satisfaction with the work and actions of our Envoy Extraordinary, Dr. W. J. Leyds, who reported to us during his visit here.

17. From different statements, it appears that the mining industry made the greatest progress during the past year. Gold to the value of £16,240,630 was gained, being an increase of £4,586,905 over 1897. Up to the end of 1898 the total value of gold gained in our country amounted to £70,228,603. The results of 1898 place the South African Republic above any other gold-producing country by a large majority, and represent 28½ per cent. of the estimated production of the whole world.

18. The Government has decided to give effect to the previous resolutions regarding the coolie question, and from July 1, 1899, coolies may only live in the wards of different towns and villages fixed for them.

19. There are many plans for public works, chiefly bridges and buildings, which could not be executed, or could not even be considered, because the Executive Council was overwhelmed with so many other matters, and also because financial arrangements had to be made for that purpose.

20. In consequence of your instruction, the Government has published in the "Staatscourant" the draft Grondwet and the Criminal Procedure for the approbation of the public. Your earnest attention is directed to these important laws.

21. Pursuant to your instruction, the Government will once more submit to you a Pension Law for consideration. I trust that this law will receive your serious consideration.

22. I was permitted to visit some districts and towns, and to hold meetings at Heidelberg, Rustenburg, and Johannesburg. I hope, during this sitting, to draw your attention to the wishes and desires of the burghers, as far as these were brought to my notice.

23. From different reports it appeared to the Government that approximately 746,500 cattle succumbed to rinderpest. With great gratitude, however, I can inform you that this dreaded disease can be considered as altogether gone. Only at Lydenburg, Krugersdorp, and Pieter-tief have some cases occurred during January last, but through the immediate execution of the orders contained in the proclamation, and through the kindness of Providence, it was confined to these places, and no further spread of the disease resulted.

24. The Government has given instructions for the taking up of farms for irrigation purposes, and will lay the report thereanent before you.

25. A list of newly-appointed, retired, suspended, and dismissed officials will be submitted for your approval.

26. The different reports of the heads of departments will be laid before you.

27. Different laws and amendments of laws will be submitted for your approval.

28. The Government has, as far as was possible, carried out your instructions, as will appear from the documents and reports to be submitted to you.

29. The Government intends, during the present sitting, to direct your attention to different matters, of more or less importance, for your consideration and decision.

And with this, gentlemen, I once more, with confidence, place the interests of our dear land en volk in your hands. God give you the necessary power and wisdom to regulate, with His great blessing, the matters which will be considered by you, for the welfare and prosperity of land en volk.

ms C  
No. 28.

*Consulate of the United States.*



Pretoria, S.A.R.. May 26th , 1899

*Mr. Charles E. Macrum,*

*To the Department of State.*

*Subject:*

Inquiry into the citizenship of Richard Floyd Nichols, now in  
the Pretoria Jail, accused of high treason.

*Abstract of Contents.*

Acknowledge receipt of cablegram.-- Call on Nichols in company  
with Col. J. G. Stowe.-- Nichols statement.-- He is not an Ame  
ican citizen.



Ad. 28.

*Consulate of the United States,*

Pretoria, S.A.B., May 26th, 1899.

*Honorable David J. Hill,*

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

I have the honour to acknowledge the receipt of Mr. [redacted]'s cablegram dated yesterday, referring to one Nichols, who is in jail here accused of high treason. In company with Col. Stowe, who is visiting me, I called at the prison to see Nichols this morning, and questioned him as to his American citizenship. He states that his full name is Richard Floyd Nichols, that he was born in Cornwall, England, 37 years ago; that his father, Francis Nichols, went alone to America about 1870, leaving his family in England, and settled and was naturalized in Marquette County in Michigan, obtaining his citizenship (he thinks) in the year 1875; that he (Richard) followed in 1881 when 19 years of age and had "first" papers issued to him, which papers he has left in England; that his father died in Washington, D.C. in 1882. He further states that he left the United States shortly after the death of his father and was never fully naturalized.

The trial will take place in a week or two, and I will watch it closely and report.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

*Copy*  
No. 29.

*Ans Bureau*

*Consulate of the United States,*

Pretoria, S.A.R.. June 6th, 1899.

*Mr.* Charles E. Macrum,

*To the Department of State.*

*Subject:*

Authentication of Legal Documents.

*Ans*  
*July 14*  
*1899*

*Abstract of Contents.*

Responding to Department Despatch No.26, of April 28, 1899.--

Legal Papers Should be Authenticated before the Secretary of  
State.





No. 28.

*Consulate of the United States,*

Pretoria, S.A.R., June 6th, 1899.

*Honorable* David J. Hill,

*Assistant Secretary of State,*

*Washington, D. C.*

*Sir:*

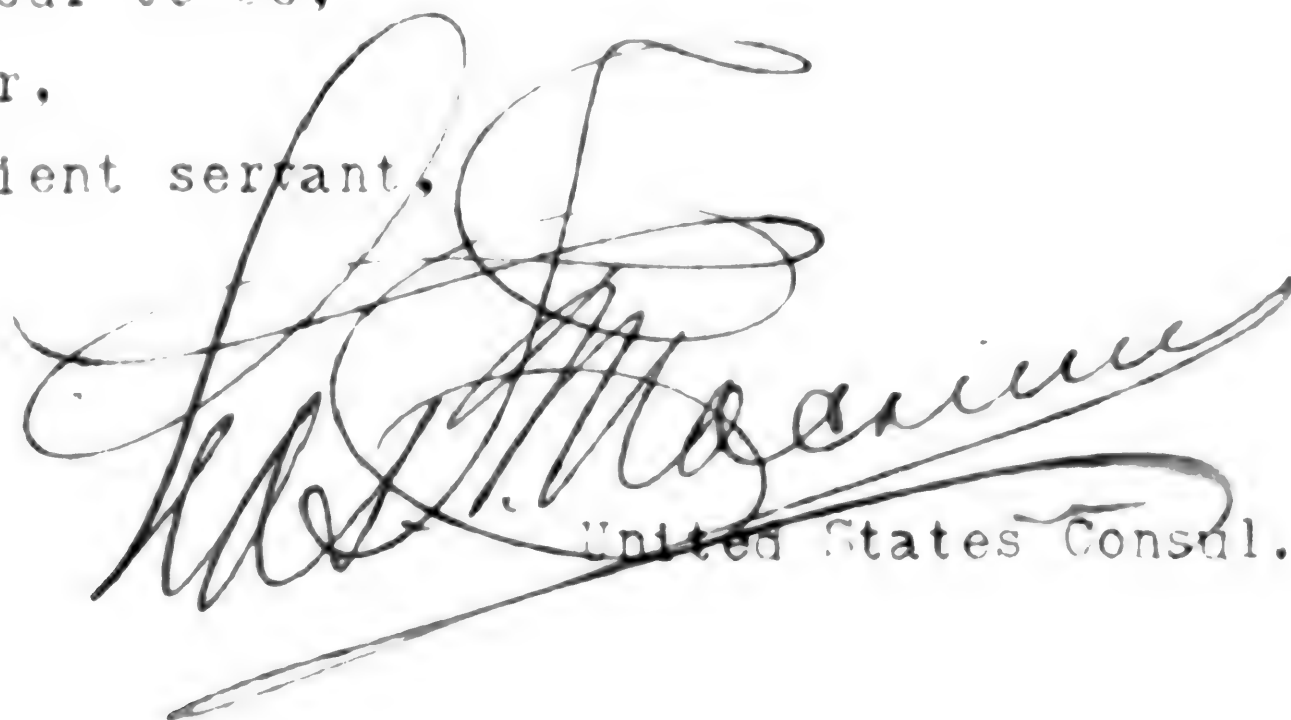
In response to your Despatch No.26 of April 28, 1899, with reference to the proper method of legalizing documents in the United States for use in the South African Republic, I have the honour to say that I have had an interview with the Foreign Secretary here and upon requesting his views on the matter he informed me that within a short time the Government here would appoint a Consul-General to Washington, but that in the meantime legal documents should be authenticated by the Secretary, or one of the Assistant Secretaries, of State of the United States, whose signature I could authenticate here.

This I believe is the method they have adopted in such countries as no Consuls have as yet been appointed.

I have the honour to be,

Sir,

Your obedient servant,

  
United States Consul.

*Consul*

No. 30.

*Consul Ruedes*

Consulate of the United States,

Pretoria, S.A.R., June 7th, 1899.

CONSULAR BUREAU.  
NOTED.

Mr. Charles E. Macrum.

To the Department of State.

Subject:

Death of Julius H. Pratt.

*copy by form  
copy to Mrs.  
J.H. Pratt.  
in the orig. July 14. 99.*

Abstract of Contents.

Replying to Department's despatch No. 21, of Feb. 21, 1899.--

Enclose Death Certificate of J.H. Pratt.-- Five shillings  
expenses incurred in postage and stamps.

Consulate of the United States,

Pretoria. S.A.B., June 7th. 1899.

Honourable David A. ...

Assistant Secretary of State,

Washington, D.C.

In final reply to your despatch No. 21, of Feb. 21, 1899, I have the honour to say that through having some personal friends in Bulawayo, as we have no Consular Agent there that day of, I was enabled to obtain the enclosed certificate of death of Julius F. Pratt, together with a letter from the person who obtained it for me. Messrs. Fraser & Chalmers, who reads as follows. "We regret the delay in attending to the above, caused by Chartered Co. officials. Enclosed please find certificate of death, signed by resident magistrate, hospital secretary and master of High Court. A Mr. Meikle has been appointed attorney from Mrs. Pratt to administer the estate and has sent her a burial certificate and will doubtless return the matter, which we have now left in his hands."

From the last part of the above letter, it seems that Messrs. Fraser & Chalmers and myself have incurred some necessary trouble, and Messrs. Fraser & Chalmers have expended about 5 shillings in the matter, which they could be reimbursed for.

Yours truly,

W. H. ...

*Conf*

*W. R. R. R.*

No. 31.

Consulate of the United States,

Pretoria, S.A.R., June 10, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Richard Floyd Nichols charged with High Treason.

*Ums*  
*July 20*  
*1899*

Abstract of Contents.

Call on Nichols.-- Relatives living in the United States.--

Provision for defense.-- Send Newspapers containing account  
of trial.



No. 31.

Consulate of the United States,

Pretoria, S.A.R., June 10, 1899.

Honourable David J. Hill,

Assistant Secretary of State,

Washington, U. S. A.

Sir:

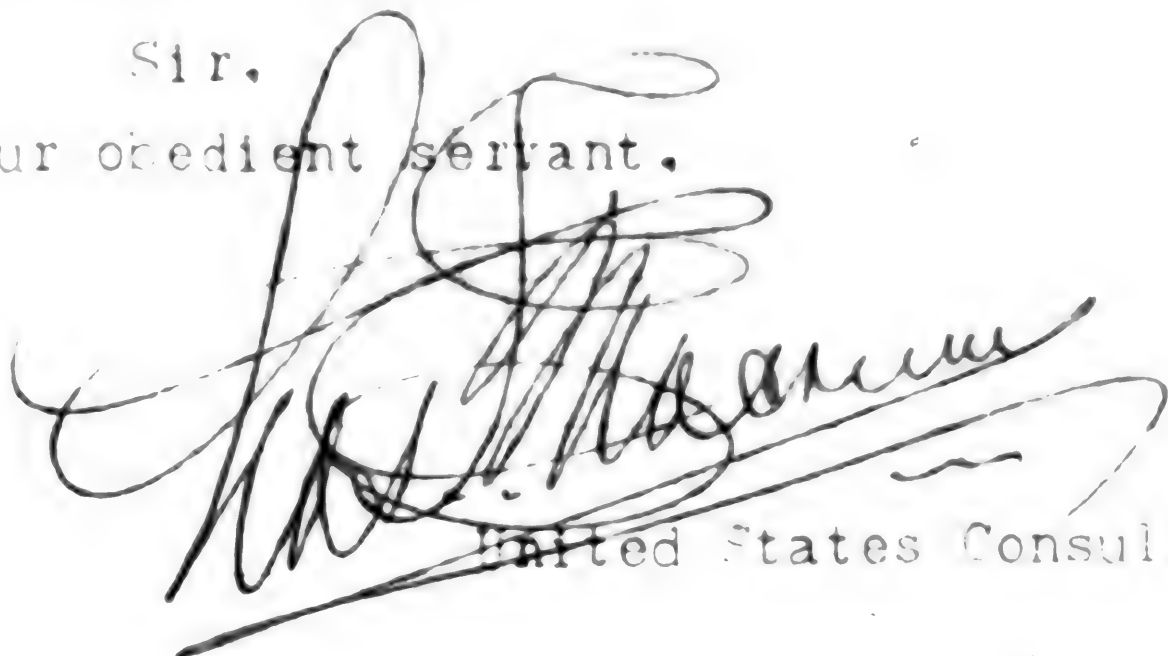
In further response to Department's cablegram of May 26, 1899, referring to one Richard Floyd Nichols, now incarcerated in Pretoria Jail under charge and on trial for High Treason against the Government of the South African Republic, I have the honour to say that Nichols sent for me and I called on him this morning. He says that he has some relatives living in Washington, D.C., as well as a sister living in Montana, near Butte City. His object in sending for me was to ask if I would appoint an attorney to look after the case for him, but in the meantime the British Agent has provided for their defense, and he is satisfied that no help is needed from us.

I have watched the trial closely, but nothing of interest to the United States has transpired. I take occasion to send you the daily press accounts of the case, which is stenographic, and therefore much more complete than any notes I have taken.

I have the honour to be,

Sir,

Your obedient servant.



United States Consul.

\* Four Newspapers under separate cover.



# "HIGH TREASON" TRIAL.

## PRELIMINARY EXAMINATION. THREE STATE WITNESSES.

PRETORIA, June 7 [LEADER Special].—This morning, before Mr. Botha, the First Criminal Landdrost, Charles Agar Ellis, Richard Mitchell, Edward James Tremlett, George Patterson, Richard Floyd Nicholls, R. Pool Hooper, and Christopher Butler underwent a preliminary examination on a charge of high treason. Advocate De Villiers appeared for the State, and Advocate Duxbury, instructed by Messrs. Tanser and Lunnion, represented Patterson and Nicholls.

Advocate De Villiers said he would only proceed against Patterson, Hooper, Nicholls, and Butler, and he would withdraw the charge against Tremlett, Ellis, and Mitchell. He would call them as witnesses, and he would ask that they should be retained.

Advocate Duxbury said that before going into the case he wanted to ask a few questions of the representative of the State Attorney. His attorneys had been placed in possession of certain statements made by Tremlett, Ellis, Mitchell, and a man named Carter. He wanted to know on what statements were his clients arrested. He also wanted to see a copy of the warrant.

The Public Prosecutor said the general procedure for an advocate for the defence to adopt was to get all the information from the State Attorney. The Public Prosecutor should not be questioned in that manner. Warrants had been issued against the accused, and the declarations he had mentioned, together with Detective Beatty's, were all that had been made.

Advocate Duxbury said he only wanted to know if there were any other declarations. He had asked for warrants several times, and only last night his attorneys were told that the papers were still in the Johannesburg Public Prosecutor's hands. He wished to bring to the notice of the representative of the State Attorney the fact that Nicholls, shortly after his arrival, requested leave to see his legal adviser, and that request, as Mr. Berrange had stated in Court, was refused. He wanted to know the reason for this refusal. Further, Nicholls, after that refusal, wrote a letter to the British Agent dated May 22. The preliminary examination was fixed for May 31, and the letter was handed to the British Agent on May 30. Why had that letter been delayed? What right had Commandant Schutte and Detective Beatty to go to Nicholls in gaol and ask him to give evidence in that case? Other prisoners had also been approached by Schutte and Beatty.

The Public Prosecutor said the course adopted by the advocate for the defence was irregular. Statements were made and questions asked.

Mr. Duxbury: I can prove it.

The Public Prosecutor said he knew nothing about the questions which had been asked.

Mr. Duxbury said he had not uttered a word he could not prove, and he was prepared to call Nicholls to prove his statements.

The Public Prosecutor said they had nothing to do with that at the preliminary examination. The Landdrost sat only as a Court to take evidence. It was not the proper time to place Nicholls in the box.

Mr. Duxbury said he was conversant with the rule of Court procedure. He desired to draw the Court's attention to certain irregularities which had taken place, with, he believed, the State Attorney's approval.

The Landdrost said every possible opportunity would be given to the advocate for the defence to defend his clients.

Ellis, Mitchell, and Tremlett then left the box, and, at Mr. Duxbury's request, the other witnesses in the case left the Court.

Charles Agar Ellis, a well-dressed individual with a pointed moustache, declared: My address is 93, Juta Street, Braamfontein, Johannesburg, and my business place is 11, Rissik Street, right opposite the Government Buildings. I know Captain Patterson and Nicholls.

Mr. De Villiers: I won't call him Colonel!

Witness (continuing): I know the letter produced.

The Public Prosecutor read the letter, which was as follows:—

27, Crown Road, Fordsburg.  
March 12, 1899.

To Lieut. C. A. Ellis.

Sir,—I have a letter of introduction to you from Captain Patterson, and am anxious of seeing you on an important matter. Being generally engaged during the day, I am only at liberty in the evenings and on Saturday afternoons and Sundays. Kindly name the date and place for me to call, or you may call on me.

A. FLOYD NICHOLLS,

Chairman Fordsburg Branch S.A. League.

Witness, continuing, said: I received that letter on March 12. I saw Captain Patterson in my office before I received the letter. It was about four days before I received the letter. Patterson asked me if I was willing to join the movement. Mr. (or Captain) Patterson, knowing that I had been in the army, told me that he would like me to meet Mr. Nicholls. Mr. (or Captain) Patterson said he wished me to see Mr. Nicholls, as he wished to be introduced to any men who would act as officers. Captain Patterson did not tell me then what the movement was, he told me to go and see Nicholls and he would tell me all about it. Then I received the letter from the Chairman of the League. I went about three days afterwards to see Nicholls. It was in the evening. Then I met Nicholls. I don't know in whose house it was. He boarded there I believe. It was No. 27, Crown Road, Fordsburg. Nicholls took me into a room and we had a private conversation. In the first place Nicholls asked me if I was willing to enter into a movement to take possession of Johannesburg, fort and town. (Laughter in Court.) I asked him to explain the particulars of the movement and also who was the chief and who was the military leader of the movement. He then stated that he was not at liberty at that moment to tell me the name of the leader for fear that he would be put over the border. He told me that he was an experienced military man—an ex-Imperial officer. I can't swear that he said ex-Imperial officer, or whether he said "was" or "is" an ex-Imperial officer. The idea was—at least Mr. Nicholls told me—that the officers—of which I was supposed to be a lieutenant—must get as many people as possible, especially people with military knowledge, and tell them to be ready at 24 hours' notice, when required. He stated—or I then asked him about arms, commissariat, transport, and everything connected with war or military tactics. I may state here that on two occasions Nicholls called them tools, and then he said arms. By tools he meant arms. I told him that I wanted to know everything about the movement before I joined. He told me that the ambulance, etc., were all in readiness, and "money was no object." I understood that the so-called chief, whom I did not know, would pay the expenses. I asked Nicholls whether the South African League knew anything about the case and I mentioned the names of Webb and Dodd, who were the only two persons I knew that were connected with the League. He stated that they were perfectly cognisant of the fact, and that to avoid suspicion he was going to resign as chairman of the League. He was going to resign to avoid suspicion falling on the League—the Fordsburg Branch. I asked him if the League knew of it, but I mentioned the names of Webb and Dodd as they were the members of the League then prominently before the public. In the army I was a full sergeant of the 7th Royal Fusiliers for over five years. I was not a sergeant for five years, only two years, but I was in service for over five years.

By the Landdrost: I was in the Fusiliers in various parts of England.

By Public Prosecutor: My position was to be lieutenant under Capt. Patterson in the same troop. The idea was that upon any event of war being declared between England and this country we should have taken the town and fort and held it until the English troops came in. I asked Mr Nicholls if we had to take the place

### Before or after War

was declared. He said that was a matter of indifference, so long as it was a "cert." He said that we must be prepared to hold the place for at least a week, as he would know from some source or other when war was to be declared. We were to hold the Fort until the English troops entered the town to take it over from us. He never said where the troops would come from. He did not know what tactics they would adopt, but knew that if war was declared they would come in. He said it was a matter of indifference whether the Fort and town were taken before or after war was declared. During that period I was to get together as many men as possible, take their names and addresses, and tell them that they must be ready to "fall in" at a certain place 24 hours after I had given them notice. The place would be decided by the chief. They would have to fall in and then they would follow their orders. I told Nicholls my military qualifications myself. I, personally, enlisted no persons. I know that some were enlisted for this purpose. From what I heard—(Mr Duxbury: Is it bear say? If so I object.)—Capt. Patterson came to my office and I asked him how the thing was going. Since my arrest I have heard things, I don't know what you want to know. Well, previous to my arrest I was told that 600 men would be enlisted. I can't swear that Capt. Patterson told me that. During the conversation in gaol I heard that one man had enlisted 2,000 men himself—(Mr de Villiers said this was no evidence). According to Nicholls everything could be ready in a few hours, so that the thing must have been in readiness. We were to get everything a few hours after we were called up. Captain Patterson frequently came to my office, and spoke to me about the movement. He told me he was working directly under Nicholls, and any information he got he got from Nicholls. He told me that things were going along all right, but he would like it to come off quickly. Captain Patterson did not tell me more about the movement than Nicholls. I asked him about the arms, etc., and he told me that he was taking Nicholls' word for it, and believed that what he (Nicholls) said was a fact. The only thing that I remember of a conversation with Captain Patterson in the gaol, we spoke a lot during the three weeks we were there—and he told Tremlett and myself—I think, in fact I am certain, we were talking about the League, and he said that some months ago Mr. Ogilvie—I believe he belongs to the League—had asked him how many reliable men could he get together in the event of a row—I presume he meant war. (Mr. Duxbury: You must not presume.) Well I understood that was what he meant. I have known Captain Patterson for years. He was a Captain in the 17th Lancers. I did not know Hooper prior to my arrest. I have seen him in the street. The only transaction I had with Butler was that I wanted a partner for my business. (Mr. De Villiers: Never mind). I don't know who the ex-Imperial officer, our chief, was to be. It was an understanding that his name would be kept secret for fear of his being put over the border. I understood that, as soon as the thing started from the moment we got our orders, we would be paid by this chief. I don't know that we were going to get anything before the time. The chief, through Nicholls, I understood, was to provide funds for the movement. I have my opinion on the matter, but nothing was said to me as to where the money would come from. When I said in a former affidavit that the money was to be found by capitalists, that was

### Only My Opinion.

I am not a burgher of the S.A.R. Cross-examined: I left the Royal Fusiliers on April 17th, 1894. They were then in Guernsey, Channel Islands, and I purchased my discharge to come out here to my brother-in-law, Lieut. J. P. Heugh, detective at Krugersdorp. Do you want to know all about how I have earned my living since I came here?



Mr Duxbury: Yes, if you please.  
 Witness: Well, in 1894 I was in charge of the native police of the Mines Sanitation Department. I had to drill them—organise the force. This billet was given to me by Mr Van der Merwe. I never went to Krugersdorp, as Hengh was then in Johannesburg. I resigned the above billet and got a billet under Capt Bleksley in the Town Sanitation Department. I joined that and joined the Bechuanaland Border Police. (Witness here showed sign of impatience.) I was in that service for ten months. I was corporal in charge of Sekwani station. I came down and started a tea-room in Johannesburg—started various speculations. The tea-room was a paying business. I sold that and became a horse dealer. Since then I have had a private detective office. I have had that for eighteen months. I was a private detective until I was arrested. I never did any work for the Government Service. Anything I reported to the Government I did on my own responsibility. I reported about gold and liquor. I had to work for the Chamber of Mines, and was never in any way employed by the Government. I had to report to the Public Prosecutor, and give them hints on cases. I was only employed by the Chamber of Mines and private persons as a private detective. I had Hengh and Cooper for my partners first. I am not a lieutenant. I don't know that the papers styled me as a lieutenant when I was arrested. I don't see papers in the Pretoria gaol. (Laughter.) Oh yes, I saw one yesterday. I think I was arrested on the evening of May 10 about 11 o'clock. I was in Crown Road, Fordsburg. Detectives Hellet and Beatty arrested me in the room. On May 11 I was in Pretoria. I came to Pretoria to see Commandant Schutte. I saw him at his office. I came here to give him information re this movement. I came quite on my own account. I was here two months before. (Mr. De Villiers: Then they took me out of here.) After my interview with Nicholls I reported this thing to the State Attorney, as I thought it was my duty as a private detective. I came here five days before the interview with Nicholls. I could not see the State Attorney, as he was very busy in the Rand, and I told his private secretary that I could not possibly go over. I told the private secretary of the State Attorney my business, and asked him if he would tell the State Attorney the information about this, which I then gave him. I returned to Johannesburg. By "the confidential" I mean my interview with Nicholls. I told him all I knew about the movement. I gave full information to the State Attorney. Whether he told the State Attorney or not I don't know. I don't know the name of the private secretary. I saw him here the first day of the trial. He has a beard. After I had given information to the private secretary I came to town by the first train and took no more notice of the matter. I swear positively, on my oath, that after I had given the information to the State Attorney I took no more notice of the movement. I had given the State Secretary the information I took no more notice of the movement. I don't know I had

#### Done My Duty

of the information. I don't know his day whether the private secretary of the State Attorney told him of what I said. I don't think he did. After I returned to Johannesburg I heard that the movement had been working in the case. Nicholls Patterson told me that in Pretoria he had the names of the persons supposed to be connected with the movement. The Government had their own men on the case. They would not trust me with the case. I am a British subject. I am not a native man. Later on I heard that Beatty had the case in his hands, and offered him my services. I told him that I was prepared to do anything to bring the movement to a stop. I went to Beatty about a week before the trial. He asked me what I knew of the movement. I told him that I had every reason to believe that the movement was in Johannesburg, and that I would swear an affidavit to that effect. I eventually swore an affidavit. I told Beatty this. I think he was still in it, and that is why I

was arrested. Beatty thought I was still in it, and therefore I was an informer. I was going to swear an affidavit against the accused. There is no such thing as informing in private detective business; we give what information we like on either side. I acted in this merely as a private detective. It interested me as a private detective, and more especially as a soldier.

Mr Duxbury: Leave the word "soldier" alone, Mr Ellis, and stick to sanitation; it is more in your line. (Laughter, in which the accused joined.)

Witness, continuing: I did not go into the thing as a spy. I simply went to find out what the thing was, not with any intention of spying. Hardly a week before the arrest I went to Beatty. I then came to Pretoria and met Beatty here. I came up in the same train. I had arranged to come by the same train as he. I came to Pretoria, made my affidavit, and went back. I went to Commandant Schutte to make the affidavit. It was the same day as my arrest. I saw Commandant Schutte at his office. The secretary or clerk of the Commandant—a man with a fair moustache—was present, also Commandant Schutte, and also Beatty. These were the only persons actually in the room when I swore the affidavit. Beatty and I went to the office together.

The Court adjourned till two p.m.

#### Afternoon Sitting.

On resuming,

Charles Agar Ellis was still in the box, and under cross-examination, said: I am still under my former oath. I attach importance to an oath. Beatty and I were together in Schutte's office. Mitchell walked up the street. He first went to the Park and then strutted up town. Tremlett remained standing on the stoep. Tremlett and Mitchell came over from Johannesburg with the same train as I did and we all went to Schutte's office. I was personally present when Tremlett and Mitchell made their affidavits, most of the time anyway. When I entered the office—at least when we entered. In the first place we all went in. Myself, Mitchell, Tremlett, and Beatty. Hooper was not in Pretoria at all at the time. I never met Hooper until after the arrest. I never met him in my life before. When we went in in the first place we all shook hands with Schutte, whom I knew; the others did not. He said, "I believe you are willing"—or words to that effect—"to give me certain information." He addressed all of us. There was no more conversation. He said to me, "Will you make the affidavit now?" I said "Yes," and then the affidavits were made. There was no more conversation beyond the common courtesies of meeting. The affidavits were made out by the secretary—whose name I don't know—and were written in English. They were read out to us, and we swore to their correctness. Mitchell, Tremlett and I then went to a barber's shop near the Transvaal Hotel. Beatty went with his friends, and we kept together until we went home by the 6 o'clock train. We got to Johannesburg shortly after 8 o'clock. Beatty went by the same train. On arriving at Johannesburg Tremlett and I went home, while Mitchell, I believe, went to his room. I saw them again about two hours later on. I live in Braamfontein, Juta Street. Later on I went to see Nicholls. Why did I go to him? Well, I went to ask him a question. I wanted to know whether he had heard anything about arrests, but I could not find him. That was all I wished to ask him. He had moved from where he lived. I knew where he lived, and I wanted to see him to ask him that question. I did not wish to see whether he had

#### Smelt a Rat.

You can put it that way if you like. My object was not to see whether the bird had flown, because I had not the slightest suspicion that he would clear. I also did not go to warn him. I saw Nicholls later on. I was arrested previous to his arrest, and he was arrested in my presence. I was arrested between Crown Road and the Market Buildings. Beatty and Hellet went with me to Fordsburg to arrest Nicholls. I met Beatty and Hellet in town. I told Beatty that I would see him there later on. We never went near the Charge Office, but went first to the Detective Office and to Pretoria about 2 o'clock that night. The

persons arrested that night were Nicholls, Patterson, Hooper, Mitchell, Tremlett, Fries, and myself. Fries spells his name "Frees." We were all brought to the gaol in Pretoria. I never saw Fries in my life before, and have never seen him since. Oh, I believe I saw him outside the Court. I never made the affidavit against Fries. I never saw him in my life. On the second night, the Tuesday night, he was removed. He was not in my cell. I believe it was the first night we slept in the cell. I have not seen him at the gaol since. He was taken away from the gaol and we never got out. I don't know whether Mr. Nicholls wrote the words "Chairman of the Fordsburg branch of the S.A. League" as an afterthought, to inform me who he was. You might take it as such; I don't. I never pumped Nicholls. He told me what he liked.

I never saw any arms, and I never received money from any of the accused. I have received my hotel expenses and train fare out of Mr. Beatty's own pocket. I took upon it as a loan which will be repaid. He gave me about £3. It was given with the understanding that it would be repaid. I said something about Webb and Dodd. I did not know that they knew of the thing. I asked Nicholls that, and he told me.

Re-examined: My father was Colonel Charles John Ellis, of the Royal Marine Light Infantry, and my brother is the late Captain Gerald Ellis, late in the Bechuanaland Border Police. The money I received from Beatty was for my fare to Pretoria to give evidence. I never received money from the Government or anyone else. I positively swear that. I never worked in this case with the object of getting money. I was never promised anything for working up the case. I only did what I did because I considered it as my duty, and considered the movement murder.

Mr. De Villiers: And for this he is taunted with being a spy. I suppose if he had put a bomb under the fort he would have been a man. But that is neither here nor there.

The next witness, Henry Cecil Carter, deposed: My address is Johannesburg, care of Robert Kuranda, City Chambers. I am a clerk, a shorthand writer. I am connected with the Jewish Boys' Brigade as drill-instructor. I was in the volunteers in the Cape Colony, and have had military experience. I was in the D.E.O.V.R., Capetown, Diamond Fields' Horse, and four months in the field with the Kimberley Rifles in the Langeberg campaign. I was a private in the Rifles during the campaign. I know Capt. Patterson. He had a conversation with me a couple of months back. I cannot say for certain when, but it was not less than 2½ months ago. He came to me and asked where "the Major" was. He said he had been sent by a man named Hale, who is a driver in the employ of the Castle Brewery Company, who is also connected with the Boys' Brigade—Christian Boys' Brigade. (Laughter.) I told Patterson that I could do any business connected with the corps, and then he drew me aside and said that things were

#### Looking Very Serious

in Johannesburg, and that it was very likely that trouble would ensue between the British Government and the Transvaal. Johannesburg would be defenceless, and he wanted to raise a troop of men to hold the town until the troops could relieve them. I said it sounded very nice, but what would be the good of it, we had no arms. He said, "that will be all right." I told him to come back later. He came to me two or three times, but I gave him no definite answer. Then I told him that I would join, and he told me to attend a meeting at his house. He told me to get any persons whom I could trust, and who had military experience to come with me. He wanted men of military experience so as to save delay in drilling. I said that it was very nice, but what about the fort. As soon as any movement was made in Johannesburg the fort would commence firing. He said that the fort would be rushed. He also mentioned that they had a large contingent of Cape boys. (A voice from the audience: What?) A day or two after that he came to me and told me not to forget the meeting, and I went to that meeting. I believe it was on a Friday night. I forget the date. The meeting was at Patterson's



se, where there were several men waiting round the house in corners. Patterson leaning on the gate talking to a man when I came up. He said that we must wait for Nicholls, whom he expected every minute. After a little wait Nicholls came up and entered the house. He went alone and left Patterson. Patterson went out and sent in another man. He took them in one by one. Patterson, I suppose, was a sort of guard. After the first man came out I went in. When I got in I found Nicholls alone. As soon as I in he asked me my name, where I was from, and then asked me what military experience I had. He didn't grumble over my military experience, so I suppose he must have been satisfied. Nicholls told me his name as Captain Patterson. He said that trouble was expected between the two parties. Johannesburg was defenceless, they must take steps to hold the town and protect themselves. The idea was to hold the town until the troops came. He said, I understood, to take the town before the troops arrived. Nicholls then explained to me the organisation of the force. He told me that each officer must enlist as many men as possible, especially men on whom they could rely. Later on we must make up the names of the enlisted men. I asked Nicholls who was at the back of the movement. He said he could not tell me, but the people were in Natal. He and Patterson were go-between between the "staff" and the persons—as he called it, and the people of Johannesburg, the so-called officers. I did not know where the five persons composing the "staff" were. He told me that a man at the head was a general officer—I can't swear that he said Imperial officer who had come out from England to lead the movement. I spoke to Nicholls about arms and he said there were many. He led me to believe they were all arms, Maxims and field-pieces. He did not give me any idea where the arms were. He said I wanted to know too much, but told me that the men could be armed in 24 hours. I spoke to Nicholls about the Fort. He said that would be taken by assault. I would have to get someone to lead a party to take it. He gave me no hope when this would take place. I was given to understand that it would be when the men were armed, but no definite date was given me. Patterson told me I should be a lieutenant. (Laughter in court, the witness bearing very little resemblance to a military man.) Nicholls told me that over 2,000 men and 150 non-commissioned officers had been enrolled. He told me to enlist men, preferably men with military experience, and take their names. I spoke to Captain Patterson. Among those men at Patterson's house I met a Cape Boy. Captain Patterson pointed out to me as the one who took the names of the badging of Cape Boys' agitation. I was told that there would be meetings at the house, but when I went there I found nothing. I presume they got

#### Frightened at Something.

Mr. Botha: Hulle word te gaaw (witness continuing): I saw several men waiting about the house, but I never went in. About a fortnight before the movement I spoke to Patterson about the movement on the fort. He said there were a lot of kaffirs on the mines who could be used to take the place, overpower the soldiers, and the white men could come afterward. (Mr. Botha: They were very good.) At first Patterson always kept me out of the holding of the place until the troops came, but later on he gave me reason for rushing the fort. He told me that the enlisting was going on. He came to my office at least twice a day. I knew Butler said I have not spoken to him. I had a meeting at Patterson's house. I was a member of this State. I am a member of the movement, but never enlisted.

Mr. Duxbury proceeded with the cross-examination. I spoke about a meeting at the house. I don't know that he was a meeting-house, except that you were there. I don't know that his wife keeps either. The Cape boy I saw there did have the appearance of a house boy. If that was Patterson told a lie. I said that

persons went into the room where Nicholls was, as I saw them go into the room. Nicholls told me that a general officer was heading the movement. I am certain that he used the words "general officer." He told me that he, a general officer, had come out from England to take the lead of the movement. No names were mentioned. I never saw any weapons. I got a few names enrolled. Considering I enrolled about three names I suppose I was implicated to a certain extent. I only recollect the name of one man, the other two cleared out as soon as there was trouble. (Laughter.) The name of the other was Tayfield, who had military experience. He went through the Matabeleland campaign. I don't remember the names of the other two. As soon as the accused were arrested they left Johannesburg. I did not believe in the movement at first, but later on when Nicholls and Patterson spoke about it so often I saw they meant it. I was too busy to go into the matter properly, although I got a few names. I went into the matter out of curiosity. About 2½ months ago I first heard of the movement. I reported to Patterson what I had done. What do you mean by reporting to the Government. Why should I report to the Government? I am an Englishman, what had I got to do with this Government?

Mr. Duxbury: The Law provides that you should have made a report, and after the admission by you, you should have been in the dock instead of the witness-box.

The witness, continuing: Allright, go ahead.

Mr. de Villiers: I will guarantee that he will not be placed in the dock.

Mr. Duxbury: I am referring to the law. Witness, continuing, said I made an affidavit three days after the arrest of the accused, May 18. I had to tell what I knew after being subpoenaed. I was asked by Beatty to

#### Make the Affidavit.

I made the affidavit at Pretoria, where it was drawn up by one of the clerks. I swore to the affidavit before Mr. Schutte. The affidavit was drawn up in Dutch—oh, English, is it. Patterson told me that there was a possibility of war, that owing to an article in the Rand Post referring to the bombardment of Johannesburg, some men consider it necessary to take some steps to defend the town. This is correct. I never read the article in the Rand Post, but I heard about it. You (Mr. Duxbury) need not read it, as I have heard of it dozens of times. [Rand Post, of Friday, December 23, 1898, containing article handed to witness, as also translation in the Star.] This article is the one I refer to.

Mr. Duxbury read the article, whereupon Mr. Botha said he could not see the use of this waste of time.

Mr. Duxbury replied that he had to identify the article, which threatened the Johannesburgers.

Continuing, witness said: I was paid my hotel expenses and my railway fare. I would not like to say whether Tayfield is a friend of mine. I spoke to him last week. I went down to the Presidency with him. No, I did not go to see the President. What do I want to see him for? I went to look for Beatty, and also Tjaart Kruger. I knew Beatty would be with him. The place I went to look for Beatty at is an office this side the Presidency. I told Tayfield that I got my railway pass and hotel expenses. I was never connected with St. Mary's Boys' Brigade. No, I was not an officer in it. How could I be if I was not in it? I was also a member of the Christian Boys' Brigade. But what have these questions to do with the case? Need I answer them?

Mr. Botha ruled that the witness need not answer any questions not referring to the case.

Continuing, witness said: I left the Christian Boys' Brigade in October last because I was not a hypocrite and didn't want to pretend I was what I was not. I told Patterson that Peterson, in Kuranda's office, was not to be trusted. I never said he was in the Secret Service. I might say that you (Mr. Duxbury) are not to be trusted, but that is not to say you are in the Secret Service.

The Court then adjourned till ten a.m. to-day.

THE ST.

## The Abortive Plot.

### Prisoners on Trial.

#### An Informer's Evidence.

#### Accused's Counsels' Imputations.

#### Passage of Arms.

#### Mr Ellis' Military Relations.

#### Attempt on the Fort.

#### Interesting Revelations.

[FROM OUR SPECIAL CORRESPONDENT.]

PRETORIA, June 7th.—The hearing of the notorious "plot" case was proceeded with in the First Criminal Court to-day. Mr. J. M. Botha, First Judge of Criminals, was on the Bench, while Mr. de Villiers, Public Prosecutor of Johannesburg, appeared for the State, and Mr. Duxbury, instructed by Messrs. Tancord and Linton on behalf of the British Government, watched the case for the accused and appeared specially for Nicholls and Patterson.

Before proceeding with the evidence the Public Prosecution notified that he would withdraw the case against Trembler, Ellis and Mitchell, who would be retained as State evidence, but would proceed with the case against Patterson, Hooper, Nicholls and Butler.

The first witness called was

Charles Agar Ellis, who deposed that he lived at 93 Jona street, Braamfontein, and that his place of business, the Transvaal Detective Bureau, was immediately opposite the Government Buildings, Johannesburg. He knew the letter (produced).

This letter was an introduction from Ellis to Nicholls, signed by Patterson, with a view to arranging a meeting.

Patterson asked you to join a political movement under the command of Nicholls?—Yes.

Every ex-military man was suitable for this movement?—Yes.

You met Nicholls at No. 27, Crown Road, Fordburg?—Yes.

Nicholls asked you to join a movement to seize the Johannesburg fort and town?—Yes. I asked him who was

#### At the Head of the Movement.

and he replied that he couldn't mention the name, as he feared he might be put over the border, but the leader was an ex-Basis officer.

What was your particular business?—

To get hold of as many people with military experience as possible, and to inform them that they were to hold Johannesburg in readiness within 24 hours.

Any talk about ammunition?—Yes; I was given to understand that there was plenty. There was plenty of money, Nicholls said.

You further asked if the League—South African League—had anything to do with the matter?—Yes; and Nicholls mentioned the names of Webb and Dad', and he said that he would resign his position of chairman of the South African League, Fordburg Branch, in order to

#### Dvert Suspicion from the League.

You mentioned these two names. Why?—Because they were most prominent in connection with the League at the time.

You were to be lieutenant in the League?—Yes, under Patterson.

You were to take the fort in the event of war between Britain and the Transvaal, and to hold Johannesburg until English troops arrived?—Yes.

Was the fort to be taken before or after the war?—Either before or after.

Did you bring any recruits?—No; but I heard that 500 or 600 men had been enlisted.

What happened in the end?—We fir-



...day, ... the S. A. ... Mr. Ogilvie, of the League, asked me ... months ago how many men would be required to take Johannesburg.

Do you know Butler and Hooper?—No, I know nothing of them.

From whom was the money to come?—From the unknown chief through Nicholls.

In cross-examination, Mr. Duxbury put some searching questions with respect to the witness' past history and his negotiations with Commandant Schutte.

Was that the day before the arrest?—I think it was on a Monday.

On the day of the arrest?—I think it was the same day.

It was the same day as that on which you swore the affidavit?—Yes.

Where did you see Commandant Schutte?—At his office.

Who were present?—Commandant Schutte. I do not know the name of the other. He was his clerk or his secretary. I don't know his name. He has a fair complexion.

Mr. de Villiers: Mr. Badell probably.

Witness: Then there was Mr. Beatty. Those were the only ones actually in the room when I swore the affidavit. Beatty and I went together to Commandant Schutte's office.

At this stage the Court adjourned for lunch.

Continuing after lunch, witness said: I never met Hooper until after the arrest. I never met him in my life before.

When these persons went in what took place?—In the first place we

### Shook Hands with Mr Schutte

I knew Mr Schutte. The others did not. Mr Schutte said, "I believe you are willing to give certain information," or words to that effect. There was no more conversation. He asked me if we would make the affidavit, and I said yes. There was no further conversation.

Who drew up the affidavit?—I do not know exactly. I believe Mr. Beatty.

You know everything was drawn up in English?—Yes, because we had to read it. It was sworn to before Commandant Schutte.

After the affidavit was drawn up, what became of you, Tremble, Mitchell and the others?—We went to the barber's shop near the Talsvaal Hotel. Then we went to Johannesburg by the 6 p.m. train. I, Tremble and Mitchell, and, I believe, Beatty went by the same train. On arriving at Johannesburg I and Tremble went home. I believe Mitchell went home. I live in Brownfontein.

Later you went to see Mr. Nicholls?—Yes, I did.

With what object did you go to Nicholls?—I wanted to ask him a question. I wanted to know something.

What did you want to know? I wanted to know whether he had heard anything about the arrests. I did not see him.

Is that all?—Yes, that is all I wanted to ask. He had moved from his house.

You wanted to find whether he was in the house?—Of course I wanted to find him and speak to him.

Mr. Duxbury: As a matter of fact, you, the person, which a few hours before had sworn to an affidavit charging Nicholls with the commission of high treason, wanted to find out whether he

### 'Smell a Rat?'

—No, I wanted to ask whether he knew anything about it.

You said you were not at all suspicious of him?—Yes, I was not at all suspicious of him.

I am not at all suspicious of him?—Yes, I am not at all suspicious of him. I am not at all suspicious of him. I am not at all suspicious of him.

Did you then want to warn him that he was being arrested?—No.

What you were finished with Nicholls?—Yes.

—Yes, I was finished with Nicholls.

—Yes, I was finished with Nicholls.

—Yes, I was finished with Nicholls.

—Yes, I was finished with Nicholls.

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—Yes, I was finished with Nicholls.

—Yes, I was finished with Nicholls.

## STANDARD & DIGGERS'

You were all brought to the gaol in P. train?—Yes.

Who is Mr. Fries?—I never saw him in my life before. I have never even heard his name.

You made no affidavit against Mr. Fries?—I never saw him before in my life.

What became of Fries?—I think that I on Tuesday night was removed. He was not in my cell. Since then I have not seen him until this morning outside on the yard. I never saw him again in the gaol. I am not sure whether it was on the first or the second night of our imprisonment.

Mr. Duxbury referred to the fact that Nicholls to witness. Under the signature of "Chairman of

### The South African League

This phrase he opined had been inserted as an afterthought. Addressing witness again he said: After you had the conversation with Nicholls you got every information from him?—Yes, he gave me the information voluntarily.

Will it surprise you to know that there were no principals behind him?—I say it is too early to say that he was the principal.

Indeed! What reasons have you for saying that. Are you aware of anything to the contrary?—I have reasons.

Well, what are they?—In the first place Nicholls is not capable of managing such a movement; secondly, he is not a military man, and could know nothing of how to take the fort at Johannesburg, and, thirdly, they would not take such a man to take charge of the matter.

Whom do you mean by "they." Who are "they"?—"They" means the South African League.

What right have you to say the South African League. How do you know they were implicated?—Well, Nicholls himself said they were.

A passage at arms then took place between witness and counsel, appropos of the application to him of the term "informer" or "spy." Witness said he gave the information he did give to the authorities, because he regarded the movement as conspiring at murder. He had a perfect right to communicate what he knew.

### Counsel had Insulted Him

that morning by insinuating him to be a "spy" and so forth. However he had his own opinion of that gentleman.

Mr. Duxbury: That's all right. I have not finished with you yet. I am cross-examining you, and you must answer my questions. Now why did you wait till May before doing anything?—I am not a Secret Service man, but I wanted to help Beatty as being a friend of mine.

Why were you arrested?—I do not know. Ask the authorities.

Did you not know it was a formal arrest?—I know very well I would give evidence for the State. I knew I was innocent. It was my intention to give evidence for the State.

Then according to your own declaration you went into this case out of curiosity?—Yes, to get to the bottom of it for the protection of the British as well as the Transvaal Government. I considered the organisers were working as much

### Against the British

as against the Transvaal Government. Thus you could not but have that any British officer was connected with the case?—I should not think that any man at present a British officer was connected with the case.

Now, Mr. Ellis, you were much hurt at what I said this morning. Yet you were watching this case from its inception in March and you played the spy on your fellow prisoners in the gaol?—No, I did not. Besides, I could tell much more.

In spite of which you feel you self insulted when I call you an informer?—Because I am not one.

You have given in your evidence the conversation which took place in the gaol with your fellow prisoners?—I have said nothing against the prisoners. I deny having said anything against them. I only spoke against the South African League.

Now about

The British Military Chief.  
Did Nicholls or any of the others mention the British officer's name?—No.

Did you see any of any sort?—No, I did not.

Did you receive any money from any of the accused?—No, certainly not.

Did you get any money from anyone else in connection with this case?—I have received out of Mr. Beatty's private pocket my hotel expenses and railway fare. I took up a loan as a loan. I think I received about £3. I consider that I still owe the money to Mr. Beatty. It was given with that understanding.

You said something about Webb and Dore. How did you know they knew about this case?—No, I am quite ignorant, and Nicholls told me about them.

Mr. de Villiers: Mr. Ellis, will you say who your father is, and Mr. Duxbury has tried to make capital of your having earned your bread in the service of the Sanitary Board. My father is Colonel Charles John Ellis, of the Royal Marine Light Infantry. My brother was the late Captain Gerald Ellis, and was lately in the British S. A. Company's service.

No, I understand the money you received from Beatty was to pay your expenses in Pretoria?—Yes, the money I would receive from the State as expenses. I have never received money from Mr. Beatty or from the P.P. I have not been promised any reward or remuneration for what I did. I did it because I felt it to be my duty.

### Carter's Evidence.

Henry Cecil Carter called, deposed: I live in Johannesburg. My address is care of Robert Kuranda, City Chambers. I am a clerk. I was drill instructor to the Jewish Boys' Brigade. I was formerly in the volunteers of the Cape Colony, in the D.E.O.V.R., Capetown, and the D.F. H. K. Kimberley and had four months' active service in the Langenberg campaign. I was a private in the later campaign in the rifle. I know Cape Patterson. I remember that Patterson had a conversation with me. I think about two and a half months ago. I cannot say for certain. It was two and a half months ago at least. He came and asked me where my major was. He said he had been sent by a man named Hale. Hale is a driver for the Cattle Brewery. He is connected with the Christian Boys' Brigade. I told Patterson I could transact any business. He took me on one side, and said things were looking very serious in Johannesburg, and it seemed very probable there would be trouble between the Transvaal and the British Government. Johannesburg would be defenceless, and he wanted to raise a force to hold the town until such time as troops could reach Johannesburg from the border. I said that sounded very fine but what will it help without weapons. He said that is alright. He said nothing about the fort on this occasion. I said he must come back later, and I would consider it. He came to me two or three times, but I gave him no definite answer. Then I told him I should join.

He told me to attend a meeting at his house. He said I could get any men I could trust to come with me to meet him. He wanted men of military experience to avoid any delay. I said "That's good; but

### What About the Fort?

He told me that the fort would have to be secured. He also mentioned that they would have a large contingent of Cape boys. A few days later he came and told me not to forget the meeting. I went in to the meeting. It was on a Friday. I cannot call the date to mind now. When I got there, there were twenty people round the table. Patterson was last I got to be talking to him as I came up. He said we must wait for Nicholls. We waited about half an hour and then Nicholls came and went into the house. He went alone into a room. Then Patterson followed him. Shortly after Patterson came out and said something about it, and so it went on, the other people sitting round the table. Patterson then left the room. After the first meeting I did not go. It was my usual New Year's Eve party when I got home. As I said, I do not know my name, he asked my name, and what military experience I had. I said I was a volunteer. He said he had not heard about it. He told me that Patterson was a very experienced soldier, and that they expected to have a large force of Cape boys. He said that the fort would have to be secured, and that the British Government would have to be notified.

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Colonel Patterson was present in Court the whole of the morning, probably to ensure a few more wrinkles from the extraordinary military propaganda disclosed by Mr. Mitchell the day before.

Some little amusement was caused by the evidence, which showed that detectives and secret service agents had been systematically arresting each other; but for the rest the day was barren of incident and sensation.

Landrost Buba again occupied the Bench, and the well of the spacious Court-room was crowded.

Two ladies who have been persistent visitors to the Court were again present, under the escort of Mr. Landrost D. J. Schumann.

Mr. Tjard Kruger and Mr. Henry Head (of the S. A. League) occupied seats at the Fore-table.

### Miche I Recalled

John Allan Mitchell was recalled for cross-examination by Mr. Duxbury.

Mr. Duxbury: Mr. Mitchell, when you came to Pretoria to make a declaration before Commissioner Schutte, you travelled in the same train with Detective Beatty and Mr. Ted Tremlett?—Yes.

How did you come to travel with Beatty?—I had arranged to come up with Tremlett, and met Beatty for the first time.

Who paid your railway fare and hotel expenses?—Mr. Tremlett arranged my ticket, and I dined at the Grand Hotel. I don't know who paid for the dinner. (Laughter.)

A first-class railway ticket?—I usually travel first class. (Laughter.)

With whom did you dine at the Grand?—With Ellis and Tremlett.

Now, as an old soldier, do you think for a moment that Floyd Nicholls is a man who would be entrusted by any military officer, British or otherwise, with the command of any body of men? I can only say that he said that he had "instructions from the War Office."

### Beatty in the Box.

Mr. Richard William Samuel Beatty, a member of the Johannesburg Detective Service was the next witness called by Mr. de Villiers.

Mr. de Villiers: You are aware, Mr. Beatty, that apart from the Government Service of detectives, there is a State Secret Service Department?—Yes; but I have nothing to do with the latter department.

Everything you did in this case you did in your capacity of Government detective?—Yes.

You arrested the accused with the assistance of the detectives?—Yes.

You found certain documents on Captain Patterson?—Yes.

Mr. de Villiers: We have heard a great deal about "loafers." This document will show Patterson's rank. It is a certificate of efficiency, dated September, 1879, from the Royal Military College. Another document is an extract signed Colonel Shepherd, which shows that Patterson has seen service as Lieutenant in the Sudan, and a third from a Captain commanding a Riding Troop, testifies to Patterson's qualification as a gentleman cadet.

### Letters from Lord Rosebery

Mr. de Villiers then produced private letters from the British Foreign Office, signed "Rosebery" (1886), in reply to a memorial from Captain Patterson, with respect to New South Wales military question and another from Lord Frederick Hamilton referring to his prisoner as "Captain Patterson."

Mr. Duxbury objected. Was it necessary to read these private documents?

Mr. de Villiers: I will show that the persons who have been gratuitously described as "loafers" have occupied responsible positions, and that Captain Patterson has been trusted and recommended by distinguished British officers and statesmen. Here is a letter from Lord Frederick Hamilton recommending Patterson as the "very man to protect the British South Africa Company from German Colonial encroachments."

Mr. Duxbury: I strenuously protest. I must tell you that this is absolutely dishonest to disclose private letters which have no connection with the present case. I have never described Patterson as a "loafer."

Mr. de Villiers: I insist. I want to show that Patterson is a man of rank and status. The Landrost ruled in favour of the prosecution.

Mr. de Villiers read a letter showing Patterson to be "a nephew of Mr. T. W. Russell, M.P., standing for South Africa, etc.," and another signed "George Baden Powell, introducing Captain Patterson to Lord

Frederick Hamilton. A letter was also put in arranging a meeting between the Duke of Argyll and Patterson.

"And here," said Mr. de Villiers, "are two

### Telegrams from Rhodes:

24th July, 1897.

[I.]

Bulawayo, 12.30 p.m.

Var.  
Rhodes,

Ans.  
Captain Patterson,  
Johannesburg.

Regret cannot accept your offer. Have written fully.

[II.]

12th Aug. 1897.

Bulawayo, 12.15 p.m.

Rhodes.

Patterson.  
Box 379, Johannesburg.

Many thanks, but no expectation proceeding at present.

Mr. Duxbury: These communications, your worship, from this contain Mr. Rhodes'—(laughter)—had reference to a prescription or specific for horse sickness. (Laughter.)

Mr. de Villiers: I merely put them in.

The Public Prosecutor, proceeding, said: "Now we are coming nearer home!"

### Letters from the League.

Mr. de Villiers read the following letters found on Patterson:

[No. I.]

Johannesburg, 2nd March, 1890.

Dear Captain Patterson,

I would feel extremely obliged if you would kindly look in at your earliest convenience, as I wish to see you particularly at Mr. Dodd's office.

Yours faithfully,

HENRY A. HEAD.

Mr. de Villiers: Who is this Mr. Head?

Beatty: He is secretary of the South African League. There (pointing to a gentleman in Court) he sits!

No. II.

21, Bettelheim Buildings.

I. J. SACKS, Esq. (a canteen-keeper),  
Mynpacht Hotel,

Fordsburg.

Dear Sir,—I am much obliged to you for your offer of collecting signatures to the petition to Her Majesty. I send by Mr. Patterson a copy of the petition. I must ask you, however, to take all possible precautions to prevent the petitions being copied, as, if it were to get into newspapers, the British Agent might refuse to forward it.

I am, yours faithfully,

W. WYBERGH,

President S. A. League.

Another letter of similar tenor was addressed to S. Graham, Market Buildings, Fordsburg.

Mr. de Villiers: When you arrested Nicholls, Mr. Beatty, what did you find on him?—A card from Mr. Ogilvie, of the South African League, and another from Mr. Yockmonitz. Also, an enlistment book, with names, which seemed to register Nicholls' personal enlistments.

The examination of Detective Beatty on the facts was then continued.

Do you know Tremlett?—Yes. He was engaged in this case to gather information concerning this plot.

Mr. Duxbury: Where did you get these documents?—From Patterson at his house.

You worked up this case?—Yes.

You are responsible for the case?—Partially.

Who assisted you in this matter. Who co-operated with you?—The State Attorney and Tremlett, and I got my instructions from Commissioner Schutte.

When were those instructions given to you by Mr. Schutte?—About ten or twelve days before the 15th of May. Mr. Schutte said that he had received a report that enlistment was going on at Johannesburg, and he instructed me to investigate the matter.

Did Mr. Schutte say from whom he received these reports?—No. This was the first I heard of them.

You know that this man was sworn that he knew all about the business as early as March?—Yes.

And Mitchell has stated that in February last it was already the general topic of conversation—common report—in Johannesburg?—So he says.

Ellis knew as much in March as he knows now?—So he says.

Ellis went to the office of the State Attorney in March and laid information?—Yes, but I do not know if anything was

### Done by the State Attorney

Mr. de Villiers: As a matter of fact nothing was done.

Mr. Beatty, however, that after the arrest of Fries that a separate investigation had been held by the State Attorney.

Very interesting. You and Commissioner Schutte acted independently of the State Attorney?—I acted upon the instructions of Commandant Schutte, my superior.

There were two

### Conflicting Inquiries?

—So it appears.

From whom do you receive your instructions now?—Since the arrest, the State Attorney has the case in hand. On the 15th of May, the State Attorney issued the warrants and handed them to me.

The State Attorney confined his instructions to the arrests?—Yes; and to bring the arrested persons to Pretoria.

Who were they?—Nicholls, Patterson, Tremlett, Ellis, Mitchell, Hooper, Henry, Jans Fries, and Butler.

You arrested Fries?—Yes.

What became of Fries?—I do not know. Why Fries was liberated the day after his arrest.

You know he threatened to institute an action against the Government for damages?—So I have heard.

Fries protested against his arrest, and it was intended to call him as State witness?—I do not know.

Mr. de Villiers: I'll call Fries, if you insist upon it.

Mr. Duxbury (to witness): These persons were arrested on your declarations?—Yes.

You also made a declaration against Fries, charging him with "high treason"?—Yes.

Also against J. Butler, of Galbath and Company?—Yes.

Who instructed you to make these declarations?—Commissioner Schutte.

Mr. Duxbury: I hope Mr. Schutte will be put in the witness box.

Mr. de Villiers: Certainly, if you want him. I don't.

Other people made declarations?—Yes.

What others?—I refuse to say.

I insist?—I respectfully decline.

Do you mean to say that you did not receive a declaration from

### A Certain Guy Warberton?

I will not deny that I saw it.

Mr. Duxbury: I asked for all the declarations to be shown me, but the Public Prosecutor stated that it was not intended to use that of Guy Warberton. (To witness): Why is Warberton's declaration not obtainable?—I do not know.

Do you know that the prosecution was dissatisfied with what Warberton would have declared?—Dunno.

What were the relations between you and Warberton?—No relations.

Did you pay or offer him any money to give evidence?—No.

You don't know that Mr. Schutte offered Warberton money?—I do not know, but I don't think so.

Was Warberton supplied with a suit of clothes from Beckett's upon the order of Mr. Schutte?—I don't know.

When did you instruct Tremlett in connection with the case?—About the first week of May—after I saw Commissioner Schutte.

The witness was then cross-examined with respect to the arrest of Butler, of Galbath. He said that when he came to arrest Butler, he asked Butler "What do you know about this movement—this small revolution?"

Well?—Butler said "For God's sake give me a moment; I have some work to finish in the office." I agreed, and followed him into his office; and after Butler said "I was a fool ever to have anything to do with the business."

That was before the arrest?—Yes. I said to Mr. Butler "I have not arrested you. I want capacity are you talking to me?" He replied "This is private," and took a letter from what he said was his

### Sweetheart in Australia

and offered it to me to read.

And then?—There was a conversation of a private nature.



## STANDARD & DIGGER

Please repeat that conversation?—No. I was agreed between us that the conversation should be kept private; I promised it should, and I decline to answer. (Subdued applause in Court.)

And afterward?—I arrested Mr Butler and said "You are my prisoner!"

Did you caution him?—Yes. Mr Butler was conveyed by the 8.18 train to Pretoria.

### The Bountiful Beatty

Did you go straight to the gaol on your arrival at Pretoria?—No; it was cold, and I gave him a liquor—at the Transvaal and at the Fountain hotels.

A liquor also?—Yes. Mr Butler then, accompanied by Detective Barmenba, was taken to the Charge Office.

Mr Duxbury: Is it your custom, as a State Detective, to

### Stand your Prisoners Drinks?

(Laughter.)—Butler seemed cold and nervous. But is it your custom?—No.

Why then call at hotels before depositing your charges?—I wanted to report my arrest to Mr de Villiers, who was staying at the Transvaal. Moreover, Butler was very upset, and I was frightened to put him in the gaol. The day before yesterday he had a fit.

Now, as a fact, did you not say to Butler: "There you are (giving him paper) you have your choice, either to give evidence in this case, or to be arrested"?—No.

You swear that positively?—Positively.

Now, Mr Beatty, why was the warrant for the arrest of Butler signed and issued on the 19th of May and only executed on the 6th of June?—I was busy, and was awaiting further information against Butler.

Who instructed you to delay the arrest?—Nobody. I consulted with the Public Prosecutor.

What was the nature of the consultation?—I wanted to get certain documents in my hands.

When did you receive definite and final instructions with respect to Butler's arrest?—On the morning of the 6th of June, from Mr M S de Villiers, Public Prosecutor.

You know that the preliminary examination was postponed for a week from May 31st to June 7th, and Butler was arrested that night prior to the preliminary examination?—Yes.

Mr Bentley (after a pause): I'll tell you the truth. Butler possessed a

### List with 2,000 Names.

Have you seen that list?—No.

How do you know it then?—I received information. I knew that he had two lists, one manuscript, one typewritten; I searched his rooms at Gordon Chambers, and I heard he had fled.

You wanted to capture him with the lists?—Naturally.

Who told you about the lists?—Ah!

You are bound to answer?—I beg your pardon. I decline.

Mr Duxbury: I believe that no such list or list existed or exists.

Mr Beatty: And I believe that Butler has handed it or them to a friend.

Have you ever sent anybody to Butler's office to trap him into enrolling?—Never.

How often have you been to see the prisoners in the local gaol?—Three or four times. Nicholls and Patterson wanted their clothes.

Did you try and get a declaration from Nicholls, directly or indirectly, through Tremlett and Ellis?—Never; I swear it. Commandant Schutte informed me, however, that Nicholls wanted to make a declaration.

(Did you not tell Tremlett that Nicholls' tube went refused to make a declaration had signed Mr Schutte, and that the latter would make it "hot for him"?—No.

Why was Tremlett arrested?—There (pointing to the table) is the warrant.

He is a detective?—He is not in the detective service.

Was not the object of Tremlett's arrest to place him in gaol?

### To Spy and Eavesdrop upon His Fellow Prisoners?

There is the warrant. The State Attorney will answer your question.

You refuse to reply?—Yes. Detective work is always "open-work."

You say in your declaration that you have "sounded information" against Tremlett?—Nicholls and Ellis did.

And so did Tremlett himself? (Laughter.)

Tremlett was arrested and put into gaol upon his own declaration?—It appears so.

He was his own accuser?—M'Y's.

The Court then adjourned until the afternoon.

## Afternoon Sitting.

### A Sudden Postponement.

When the gentlemen interested in the case reassembled in the afternoon, the Registrar announced that, owing to the indisposition of the Judicial Commissioner, Mr Botha, the preliminary examination would have to be postponed on Monday at 9.30 a.m.

## STANDARD & DIGGER

## The Abortive Plot.

### Second Day's Trial.

#### A Merry Day in Court.

#### Michell's Naive Humour.

#### Incriminating Documents

#### To be Read To-Day.

#### Interest Waning.

It would be idle to disguise the fact that public interest is diminishing to a considerable extent in regard to the trial of the men supposed to have contemplated a melodramatic coup upon the fort. Mr de Villiers, the Public Prosecutor, is straining every nerve that there was a Movement, and Mr Advocate Duxbury's line of defence is that the said Movement was of a puny and insignificant nature, and that the charge against the persons implicated in the folly cannot be exalted into the capital crime of High Treason.

While Mr Duxbury is clearly bent upon exonerating the Imperial authorities from participation in the affair, Mr de Villiers is no less eager to implicate the South African League with a knowledge of the movement. Mr Duxbury's endeavours to acquit Mr Goosen of any knowledge of Patterson and Company's designs upon the Government armories are, of course, unnecessary, in spite of Colonel Floyd Nicholls' bombastic assurances that this ridiculous Fortbeweging Junta were empowered and instructed by the London War Office. This may be dismissed at once as an extravagant taradiddle.

The most remarkable feature of the preliminary trial to-day was the fact that the Revd Mr Baumgarten and Mr Tjaard Kruger sat side by side at the Press table, each oblivious of the other's identity.

To-morrow (Friday) Detective Beatty, Veterinary Surgeon Cammack, and others will be put in the box to prove that there was a movement and that the authorities were justified in taking the action they did. The telegram from Mr Rhodes as an earlier period in Colonel Nicholls' career will be put in, and a big batch of interesting correspondence, not with Mr Rhodes, but with certain gentlemen notoriously allied to the "annex-at-any-price" party. The proceedings have been humorously dull to-day. There is every hope they may be enlivened to-morrow.

#### Mitchell in the Box.

#### Plan of Campaign.

#### Alleged Instructions from British War Office.

## Amusing Evidence.

### Yesterday Morning's Proceedings

Yesterday morning at Pretoria, the preliminary examination in the charge of high treason preferred against Captain Patterson and Co was continued before Special Judicial Commissioner Botha.

There were now four prisoners—Captain Patterson, Lieut Hooper, Colonel Floyd Nicholls, and the man recently arrested, Christopher Butler.

Mr M S de Villiers of Johannesburg, prosecuted, and the prisoners were defended by Advocate Duxbury, instructed by Mr A B Tancerd.

The Rev O Baumgarten and Mr Tjaard Kruger occupied seats side by side at the Press table.

Mr Duxbury said he would re-call Charles Agar Ellis for further cross-examination.

Ellis accordingly re-entered the witness box.

Mr Duxbury: You had a conversation yesterday with Capt Patterson in the gaol?—No.

Or outside the Court this morning?—Yes.

What was the nature of the conversation?—Captain Patterson asked me if it were my true evidence as published in the newspapers with respect to the statement made by me yesterday that Captain Patterson told me that he "would like this business completed as soon as possible. He then asked me if I had meant to say that in the b.r. I replied that so far as I could remember what he said to me was this: "I am continually worrying Mr Nicholls to bring this matter (the plot) to a head one way or the other."

To what did he refer?—To this movement.

Did Patterson say anything else?—Yes; he said he was sick of this continuous hanging on, and asked me

#### To Assist Him in Worrying

Mr Nicholls. That was all that took place and that was the full conversation.

Mr Duxbury: Now back to the gaol, Mr Ellis. (Laughter.) Did Commandant Schutte and Detective Beatty come to the gaol to see Mr Nicholls?—Commandant Schutte came with his secretary, at the request of Mr Nicholls.

How do you know that Nicholls sent for Commandant Schutte?—He told us all; but if I give his exact words it may compromise and commit him.

Mr de Villiers: I insist upon the exact words.

Mr Ellis: Well, I give the evidence under protest. Mr Nicholls stated to us all that he had made a statement to Mr Schutte, which the latter had disbelieved. By my giving this evidence, it will bring back this old business of "informers," as I am described in the STANDARD AND DIGGER'S NEWS.

Well, go on.—Nicholls acknowledged to Mr Schutte that he had formulated a movement to attack the fort, and that he was the real head of the movement.

I acknowledge, gentlemen (added Nicholls to us) that I have deceived you, and all that I can see

#### Before me is Death.

He further said that he wished to get all of us off, and take the whole blame on his own shoulders.

Did you say anything further?—He asked to be left alone. He was very despondent, and said he did not wish to argue with about it. I told him that I didn't believe him; that there must be somebody else. He replied: "Leave me to myself."

You said you didn't believe him?—I said: "There must be somebody else at the back of this."

Mr Duxbury: Is it not a fact that you and Tremlett advised Nicholls to make a declaration?—In the course of a general conversation amongst us prisoners we advised Nicholls to make a disclosure to save himself.

That was before Commandant Schutte called?—Yes. He came subsequently—the same day, I think.

You knew that Schutte would come?—I heard that Tremlett had gone to the hospital and asked him to telephone for Commandant Schutte, at Mr Nicholls' request. All of us told Nicholls that if he had a statement to make he had better make it at once, as it would make it lighter for him.

You knew that Tremlett made a statement before Mr Schutte on the 15th of May, and was accepted as a State witness yesterday?—Yes.



Mr. De Villiers: How many times did Nicholls send for the Commandant?—Only once, to my knowledge.

Do you remember that shortly after your arrest in this yard outside the Court, Nicholls requested a spectator of Police to do a meeting?—Yes.

What did he say to you all on that occasion?—I may say that he has told us

#### Four Different Yarns.

What did he ask you on this occasion?—I can't remember anything other than that he

told us that he misled, that he deceived us, and that he would take the guilt on his own head.

What did he mean by "deceiving" you?—I don't know. We did not argue the point. Nicholls contradicted himself dozens of times.

Mr de Villiers: Give me one of those contradictions?—Ellis: I would sooner not.

Oh; I spared your feelings yesterday, but Mr Duxbury has recalled you to the box.

Well, there were many versions.

What versions?

#### In the Subjunctive Mood.

Ellis: One day when I was standing by his bed, he said: "Should there be anyone at the back of this, if I had made arrangements with him, I should not disclose his name."

Mr de Villiers: Our contention is that there was somebody or sombodies at the back.

Ellis: I enquired if these arrangements were made or had been made, if he (Nicholls) would receive money when he came out of gaol.

What was Nicholls' reply?—He said if there was such a man, or some such arrangement, he would receive money.

Did not Tremlett say that you should take heed of their wives and children?—Tremlett said, "I and some of us are married men, and it is worse for us than for you. Who is looking after our wives and children while we are in gaol?"

Was there any talk about shooting, or that Nicholls would be ill-treated?—There were no threats, but three or four days ago I was rather angry, and I talked generally to the room—

You were angry?—There were no threats, but I felt like a caged lion, and I said that if this business (the trial) didn't come off soon there would be a row.

A row. Where?—In the gaol.

Mr de Villiers: A gaol revolution, your Worship. (Laughter).

Mr Duxbury: Why were you angry?—I did not see why I, an innocent man, should be caged up there, and I had heard that Nicholls had made an attempt to get the case further postponed for two or three weeks.

Did you tell your fellow prisoners in gaol that you had made a declaration against them?—Certainly not; I never volunteered any information.

One of three declarations upon which you were all arrested?—I don't know.

From the beginning it was your sole intention to give evidence against the others?—Yes; whether I was accused or not.

#### A Man of War.

Mr de Villiers called John Allan Mitchell, the next State witness, who said he lived in Johannesburg.

Mr de Villiers: You are a man of military experience?—Yes.

What are your experiences in this connection?—I served in three divisions of Royal Artillery—Garrison, Field, and Royal Horse Artillery.

What rank?—All ranks from driver to quartermaster-sergeant.

Any South African experience?—I hold a medal for the Zulu Campaign, and I served in the second Matabele Campaign, for which I am entitled to a medal.

You know all the accused?—Yes; and I know what this case is about.

Who first approached you in this matter?—Captain Patterson.

When?—Some weeks prior to my arrest on the 15th of May.

What did he say to you?—He arranged with me to meet a so-called "Colonel" Nicholls at his (Patterson's) house in Fordsburg.

Before we proceed to this meeting, did you see Mr Butler, of Galbraith's the latest accused?—Yes; a casual acquaintance of mine told me one day in Commissioner Street, and said to me, "Are you aware that a force is being enrolled in the Transvaal against the Transvaal Government?" I replied that I knew nothing of it.

Was that before or after you saw Patterson?—Before.

Your friend gave you information, and upon that you went to a certain office?—Yes I went to Galbraith's, in the Finner Street Chaise, and I explained to Mr Butler,

#### The Gentleman in the Dock

(Laughter)—my experience in Her Majesty's service, and he made a note and told me to call again.

What did Butler say further? What was his motive?—A view, I suppose, of enrolling me in a military corps.

Against whom was this force directed?—Against the Transvaal Government.

Well?—Nothing further was said.

Mr Duxbury: He stood you a drink? (Laughter).

Mitchell: No; the conversation took place outside the corner bar.

Mr de Villiers: You subsequently went to Patterson's house to meet Nicholls?—Yes; there were three others invited to meet "Colonel" or Mr Nicholls.

There were also others?—Only three were invited, but there were others. When I arrived Patterson said he would first go and see if Nicholls would receive me.

Mr de Villiers: To secure you an audience, like? (Laughter.)

Mitchell: Yes; a Mr Harry accompanied me and the audience was granted.

What was the trend of the conversation between you and Nicholls?—"Colonel" or "Mr." Nicholls said that they were about to raise a military force for service in the Transvaal against the Transvaal Government. He said that the force was to be composed principally of mounted men, and further that a battery of artillery was to be formed and for such battery an officer, a practical and trained artillery officer, would be sent out from England, and that he, "Mr." or "Colonel" Nicholls, was acting under the direct

#### Instructions of the British War Office.

(Laughter.) Headed that the object of this force was in the first place to take the Johannesburg Fort and hold it, if possible.

Why should they hold the Fort?—He didn't say why they should hold it. (Laughter.) He did say that arms and ammunition would be ready when required, and questioned me concerning my military experience.

What else did he say?—He wished Mr Harry and myself to take the names of all persons—service men, if possible—who were likely to make efficient officers and non-commissioned officers. He also said that in the event of the fighting line retiring—(laughter)—without orders, the second line of defence would open fire on them—(loud laughter)—and if they retired, reserves were to come in.

This statement was received with uproarious merriment.

Mitchell: This meant that part of the corps would fire on their own comrades. (Renewed laughter.) The next morning, Mr Hooper (a prisoner) and I commenced to take the names of men, according to the instructions given to me the night before.

You are speaking of Hooper? Where did you meet Mr Hooper?—I met him casually in Johannesburg, and he was present at Patterson's the night previous. We were both military men.

Hooper had similar instructions to you?—Yes.

Do you know this book (a small brown book)?—Yes; this book contains the names of the men enlisted by Hooper, and the corps they belong to.

#### Hooper's Little List.

The inscriptions in the book were as follows:—

J F Wilke, G F Berks, sergeant, address Box 17.

A E Cooper, Ordnance Department, Lonsdale's Horse.

H B Lee, Ferreira House (in '79 was in O M R file), Basuto Company, address P.O. Box 143, Johannesburg.

D Kay, Camerons, 3½ years in Bechuana-land B Police, P.O. Box 143.

D Orlow, Kingwilliamstown Horse, care of Patterson's Bar.

Harry Orof, G and G Ware, corporal.

R Strickland, Sergeant-Major, Berks and Yeomanry, South Western Hotel.

H J Sale, T S M B B Police, Lion's Bar.

H Aokton, Sergeant-Major, B B P.

H Newman (not the pawnbroker), private, twelve years in 32nd Regiment, 15 Marshall Street.

J Walker (not of Matthews and Walker), late O V S R Artillery, Sunderland Chambers.

F Thomas, Ghazka and Galicks, Zululand, and Basuto, Matabeleland, corporal.

W Jones, Cape Infantry sergeant, care of C Evans, Von Brand Square.

I Bundy Zululand and Ruff's Basuto.

C M Maron, late B B P, 2 Carbine Company, Pioneer, D F Horse sergeant, Gaborone Deep G M O.

J Hamilton, alias 42 Black Watch, Room 2, City and Suburban.

J Macdonald, 5th Fusiliers, medal and star Matabeleland.

R Hooper, lieutenant 13th L I India, Low's Police and Matabeleland.

D M Harry, Major Low's Police, sergeant 85.

Guy Watterton, Matabeleland, 6, Engineer's Chambers.

J H Michell, quartermaster sergeant, R A, Zululand, M P Matabeleland.

E J Davies, B S A Police, trooper, P O.

H F Cooper, Lieutenant D F H, 25, Basuto Buildings.

A W Bulson, Sergeant Royal Engineer, P O Box 1823.

F Heughebaert, 18th Royal Fusiliers, 55, Northamptonshire, captain, P O Bertram Township.

J Tassie, Royal Horse Guards, Rough rider, Sergt.-major, Drill Instructor, Green Britain Hotel.

Mr. de Villiers continued the examination.

What are you, a British subject?—Yes.

There is no 't' in my name, I am an Englishman, (Laughter.)

You made the declaration voluntarily?—Quite voluntarily.

Without remuneration, or promise of remuneration?—Quite.

Mr de Villiers: To come back to the question. What instructions did you give to the recruits?—They were warned to

#### Hold themselves in Readiness

for active service at 24 hours' notice. I said nothing about the fort, but I gave them to understand that they would have to do active service against the Transvaal Government.

What did you do with the names of the persons so enlisted?—I gave them to Mr Hooper, who has held a superior position to myself in Her Majesty's Service, and I thought it only military etiquette (laughter) to hand them to him. They were subsequently referred to Tremlett.

What was Hooper?—He was Lieutenant 13th Regiment Light Infantry (British Army).

Did you ever see Patterson again?—Yes, we told him how we were getting on.

What was Patterson's rank?—He was, I think, an officer and a captain in Her Majesty's Service.

#### Afternoon Proceedings.

##### "A Jack of All Trades."

During the afternoon Mr Duxbury conducted the cross-examination of E. Allan Mitchell.

Mitchell gave some amusingly exhaustive details of his career. He had served as rinderpest and disinfectant officer in Natal, had been employed on a diamond-drill at Brandvlei, and afterwards he wrote to Mr de Villiers, the Burgomaster, for a position on the Rand Stadsraad. This situation was not forthcoming, and witness then applied to Mr "Cly" Shephstone—

What were you in Swaziland?—A guide and Hindustani interpreter.

What billet did you get on the Rand Stadsraad?—Sanitary and Traffic Inspector. My duties were principally on the Marsden Street bridge. Subsequently I was released from my engagement and obtained employment as a Kafir guard in the Wessington Mine.

You afterwards came back to Johannesburg?—Yes; I got employment in November of last year at the Consolidated Goldfields. I was sent to assist a carpenter at Kip River. Then that company sent me as store-keeper, time-keeper and cook combined. (Laughter.) I then went back to Johannesburg for family reasons, and got in low financial water, and—if you want to know all about it (laughter)—I got assistance from brother Masons. I then went to Delagoa Bay on foot and applied to Mr Carnegie Ross, the Bank Consul there, who suggested that I should become a tallying clerk, but there was no tallying to be done—(laughter)—and finally I became his gardener. (Renewed merriment.)

Witness proceeded to relate various other vivid incidents in



## His Chequered Career,

much to the amusement of the Court.

Now, when did you finally return to Johannesburg?—In February of this year. I got a pass from Maritzburg from a high Government official there, who was once my junior.

What did you do in Johannesburg?—I tried to get employment and couldn't, and I wrote to Mr Eckstein, enclosing my military credentials. Mr Eckstein wrote me a letter which I think is in the hands of the Detective Department—at least I gave it up the night of my arrest. Eckstein wrote me that he wished that he couldn't give me a billet, as the mines were entirely at the disposition of the managers of the mine. But he enclosed £5, and expressed himself as grieved at the sad circumstances under which I had to walk without a sixpence in my pocket from Park Station to Lourenço Marques—397 miles.

## The Benevolent Mr Eckstein

Well?—Mr Eckstein further wrote that I should call at his office to receive the £5, and at his office I met a Mr Fisher, who said that Mr Eckstein and he had been discussing what could be done for me. They said they were sorry to see that a man who had been in Her Majesty's Service all over the world should be hard up.

Where do you live now, and what do you do for a living?—I live in a room at the Bevan Bar, Harrison Street, where I pay 7s 6d a week (in advance). I do nothing at present, for Eckstein's £5 lasted me for a long time, and Buchanan, of Swaziland, also gave me £2.

When did you first hear of this movement?—In March; it was indirectly the topic of general conversation in Johannesburg.

You met Captain Patterson at his house. Do you know that he or his wife keeps a boarding-house?—I don't know that. I was only there once.

Where is the Mr. Harry you talked about this morning?—I don't know.

Mr de Villiers: That

## Mr. Harry has fled.

Mr Duxbury: Have you seen certain articles in the "Rand Post" advocating an attack upon Johannesburg in case of war?—No. I never read newspapers.

Didn't Patterson tell you about these articles?—No; certainly not.

Did you look upon Captain Patterson as a man of prominence and influence?—No; I regarded him as nothing more than an ex-military officer under "Mr" or "Colonel" Nicholls.

Do you know that Nicholls is not a military officer?—I should certainly say he wasn't. (Laughter.)

Now, why did you go into this movement?—For no particular reason. I put my name down, that's all. I shouldn't have done that had I known the class of men participating—I am speaking in a military sense.

Have you been paid, or been promised any money for joining the movement?—I have not seen a penny piece. I asked Nicholls the rate of pay, and he said that he would tell me after war.

Did he tell you later on?—No.

Did Tremlett help you with money?—I told Tremlett on various occasions that I didn't know quite where to look for my dinner, and I think he paid for three dinners—1s dinners at that!

Did he stand you drinks?—Occasionally I had a glass of beer with him; that is all.

But with regard to Hooper's book. Did you see him write these names?—Yes, I saw him write them from loose manuscript copy.

Where were they written?—In

## The Rooms of the Y.M.C.A.,

Pritchard Street. Lots of people go there. As a matter of fact we only took names for two days.

Why did you leave off?—Because Colonel Nicholls, whatever he is called, could never be found, and seemed to take no interest in the movement.

Why was the book handed to Tremlett?—Tremlett wanted the names. I personally was not of the whole thing.

Did Tremlett pay for the list?—Not a cent.

You made a declaration on the 15th of May?—Yes; in the office of the Commissioner of Police at Pretoria. I had heard reports in Johannesburg that I should probably be arrested.

From whom did you hear these reports? It was general conversation in the street, and considering the unsoldierly and unmanly manner in which Nicholls treated Hooper and myself—

Mr de Villiers: The soldiers were dissatisfied and there was mutiny. (Laughter).

Michell: I could never find Nicholls, and I considered that he was using me as a tool.

But you had to report to him, not he to you? He was your superior officer?—So he said, but if I had seen him walk three paces, I should have known that he was no soldier. (Laughter).

Mr Duxbury: You did not really regard the movement seriously?—No—that is, not when I found out what sort of a man Nicholls was.

But Nicholls was

## The Head of the Movement?

—He said he was. (Laughter).

Mr de Villiers: He said he was!

Had you an open mind about Nicholls when Hooper wrote those names in the book?—No; my mind was already made up then.

Now didn't you think this attack on the fort a ridiculous idea?—Nicholls said it had to be done.

As an old soldier, was not also this firing from behind a ridiculous idea?—It was not only ridiculous, but also offensive, and a suggestion which would not have been made by a British officer.

Why was Tremlett so eager to get those names?—I don't know.

Don't know. Are you sure? Don't you know that Tremlett is a member of the secret service?—I have heard so from the newspapers.

Didn't Nicholls say to you in the gaol, "If there were a man behind this business, I should be a traitor to disclose his name?"—Yes. He meant a man in a higher position than himself. He also said, "I take all the blame upon myself."

You are not friendly disposed towards Colonel Nicholls?—Why shouldn't I be?

But you object to him as a military man?—(With emphasis): To command men, most certainly. (Laughter.)

Did you ask Patterson for money?—I asked him

## What we were Going to Get.

He said he hadn't got a red cent?—Yes.

Did you tell anybody that you were going to give information?—Yes; both Hooper and I told Patterson that it would serve him right if I gave information to the other side.

What did you mean by the other side?—The Government of the Transvaal, of course.

Why did you give information to the Government?—Because I considered it as my duty, and because I regarded the thing was a fraud on Nicholls' part.

Nicholls was not competent to carry out the plans of seizing the fort, etc?—He was incompetent to do anything of the sort.

When you threatened Patterson that you would give information, didn't he say "You can do what you like; we've done no wrong?"—He said brusquely "You can do what you like."

Didn't you and Fries, Tremlett, and Hooper have a conversation in Telephone Park?—Yes, a couple of days before my arrest.

Did Tremlett say: "I know for a fact that immediately on declaration of war women and children will be sent to Doornfontein for safety and that all the men will have the option to take up arms for the Transvaal or be sent over the border at once, and then, good-bye; for they will be

## Shot down like Dogs?"

—Not in those words. It was a general discussion. Tremlett said that if an attack was made upon Johannesburg the women and children would be taken care of, but other people would have to leave the town. I paid no particular attention to what was said.

Did Tremlett tell you and Hooper that he knew where there were 10 000 guns?—Yes; he said he knew where they were.

Concealed guns and ammunition, etc?—I don't know about "concealed." He said he knew where there were many guns; but whether to sound us or to pump us I don't know.

Mr de Villiers: Nicholls posed at the gaol as a martyr for others?

Mr Duxbury: What others?

Mr de Villiers: Didn't he say there was another?—Yes. But he mentioned no name. We understood—all of us—there was

## Somebody behind the Business.

Mr Duxbury: Who asked Nicholls to disclose the name?—Michell.

Didn't Tremlett?—No.

Didn't they say if there is no man in the one?—(With great emphasis) No, no, no! (Laughter.)

This concluded Michell's examination.

Mr de Villiers said he was sorry to have to do it, but he was compelled to ask the Commissioner to order Mr Michell to find security in £200 for his appearance at trial.

Mr Hooper granted the request, and Michell was taken back to gaol pending the necessary bail-bonds being signed.

The Court then adjourned until 9.30 to-day.

No. 32.

*Fih*

*W. L. ...*  
CONSUL'S OFFICE  
JUL 21 1899

Consulate of the United States,

Pretoria, S.A.R., June 12, 1899.



Mr. Charles E. Macrum,

To the Department of State.

Subject.

Case of N. Thompson vs S.A.R. Government.

Abstract of Contents.

Nothing further to report in the case.-- Thompson's Character.--



Consulate of the United States,

Pretoria, S.A.P., June 12, 1899.

Honourable David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

In response to your despatches numbered 23 and 29 of March 18th and May 6th last, in re Nelson Thompson's claim against the Government of the South African Republic, I have the honour to say that I have been unable to obtain any further information about Thompson, neither have I seen nor heard anything of Thompson since about the first of April last.

Thompson seems to have borne a good character in Bulawayo, Rhodesia, where he formerly lived, and it may be noted that ~~in~~ the Government's accusations and imputations against him were entirely suppositious: no proof having been brought to substantiate them.

If upon further inquiries I receive pertinent information I will transmit same promptly.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.



*(Rec'd 7/24/99.**Ans Bureau*

No. 33.



Consulate of the United States.

Pretoria, S.A.R., June 13, 1899.

Mr. Charles E. Macrum.

To the Department of State.

Subject.

Call for Tenders for Railway Building.

## Abstract of Contents.

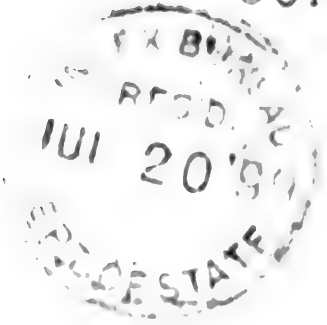
Call for Tenders for building Railway lines to Rustenburg  
and Lydenburg.-- Translation of published notice in full.--

Too late to give U.S. contractors a chance.

Cons Bureau

No. 34.

Consulate of the United States,



Pretoria, S.A.R., June 17, 1899.

Mr. Charles E. Macrum,

To the Department of State.

*John Quinn*  
*Received communication*  
*August 18*  
*1899*

Subject.

Appointment of a Consular Agent at Johannesburg, S.A.R.,

Abstract of Contents.

Acknowledge receipt of despatch No. 30.-- Had offered place  
to Mr. William D. Gordon.-- Await further instruction.

*May 15, 1899*  
*June 14*  
*Attorney*  
*General*  
*Aug 8, 1899*  
*re Pack*

*The C. G. at Cape Town in his*  
*despatch*  
*2 days good things of June 15, 1899*  
*Mr. Manion*  
*H 38 for Pretoria*

W. B. Biddle  
Office of the

Third Assistant Secretary.

Dear Mr. Secretary:

You may be interested in reading this despatch, No. 347, from Pretoria, in regard to the appointment of a Consular Agent at Johannesburg as successor to Mr. Manion.

I was not aware, until the arrival of Mr. Macrum's No. 34 that you had had any correspondence with the Attorney-General on the subject. You will see by the closing paragraph of Mr. Macrum's despatch that "if the Department insists upon the appointment of Mr. Park it puts me in rather an embarrassing position with Mr. Gordon, to whom I made a bona fide offer, as your despatch No. 28 asked for the nomination of some suitable person."

I think it only fair to Mr. Macrum that we should hear from him in regard to the acceptance or non-acceptance by Mr. Gordon of the Agency at Johannesburg before saying anything to Mr. Park on the

Office of the  
Third Assistant Secretary.

subject. After reading this correspondence  
will you give me a brief suggestion, and  
it shall be carried out.

Faithfully  
C. W. H.

Wait to hear from Gordon

W



Consulate of the United States,

Pretoria, S.A.R., June 17, 1899.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

I have the honour to acknowledge the receipt of your despatch No.30, of May 14, 1899, relating to the appointment of a Consular Agent at Johannesburg.

Upon receipt of your despatch of May 4, 1899, No.28, I spoke to Mr. William D. Gordon, the Johannesburg representative of the Standard Oil Company, whom I know very well, and who is in every way capable of taking good care of the Consular Agency, with a view to ascertaining whether he would accept the position. He took the matter under advisement and has not as yet given me his decision.

If the Department insists on the appointment of Mr. Gordon, it puts me in rather an embarrassing position with Mr. Gordon, to whom I made a bona fide offer, as your despatch No.28 asked for the nomination of some suitable person.

I shall await with some anxiety your reply.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

*Ans Bureau*

No. 35.



Consulate of the United States,

Pretoria, S.A.R., June 17, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Richard Floyd Nichols.

*Copy subject -*

Abstract of Contents.

*Ans  
July 22  
1899*

Preliminary hearing finished.-- Papers sent to Attorney General.-- Copies of newspapers containing account of the hearing forwarded under separate cover.

No. 35.

Consulate of the United States,

Pretoria, S.A.R., June 17, 1899.

Honourable David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir,

Supplementary to my despatch No. 31, of the 10th instant, in re Richard Floyd Nichols, charged with high treason against the Transvaal Government, I have the honour to report that the preliminary trial has been finished and on the 13th instant the papers in the case were sent to the Staatsprocureur (Attorney General), in accordance with the law, so that that official may decide to prosecute or not. He will appoint a date for the regular trial and will decide on the matter of accepting bail from the "conspirators".

I send under separate cover copies of the papers containing an account of the last two days proceedings of the trial.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

*By mail yet received*

No.36.

C. R. Bureau



Consulate of the United States,

Pretoria, S.A.R., June 21, 1899.

Mr. Charles E. Macrum,

To the Department of State,

Subject.

Payment of money to J.C.Pretorius.

Abstract of Contents.

Responding to Department's despatch No.36, of April 1, 1899.--

I have paid Mr.Pretorius \$76.63 as authorized.-- Enclosed are certified copies of Letters of Administration and Appointment as Guardian of minor Children of Mrs.Schwaab and receipt in full for amount, \$76.63.

Cohy with  
Enc's  
to Cram-  
mond  
Kennedy  
Ack'd by  
form  
Aug 2  
1899



No. 36.

Consulate of the United States,

Pretoria, S.A.B.. June 21, 1899.

Honourable David C. Hill.

Assistant Secretary of State,

Washington, U.S.A.

Sir:

In response to your despatch No. 24, of April 1, 1899, I have the honour to report that I have paid over Mr. J. C. Pretorius, as therein authorized, the proceeds of the money-orders £7. 14. 9 which were enclosed in the said despatch.

In accordance with the conditions of payment, Mr. Pretorius has delivered to me certified copies of his appointment as Executor Testamentary of the estate and as Guardian of the minor children, together with a receipt in full for the remittance; all of which documents I herewith enclose as directed.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosures:

Letter of Administration, with translation.

Letter of Appointment as Guardian, with translation.

Receipt in full for £15-14-9 (\$73.63).

Chas Bureau

No. 37.



Consulate of the United States;

Pretoria, S.A.B., June 23, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Whereabouts of Carl F. Langefeld.

To Hon H R  
Belknap  
Ackd by  
form  
Aug 2, 1899.

Abstract of Contents.

Referring to Department's despatch No. 19.-- No information  
whatever of whereabouts of Langefeld.

Consulate of the United States.

Pretoria, S.A.F., June 2<sup>d</sup>, 1899.

Honorable David G. Miller,

Assistant Secretary of State,

Washington, U.S.A.

Referring to your despatch of February 10, 1899, No. 19,  
I have the honour to inform you that I have been unable to  
obtain the slightest information regarding the whereabouts of  
Frederick Langefeld, whose disappearance is the subject  
of your despatch.

Inquiries have been instituted through the police as well  
as the Consular Agent at Johannesburg, but I regret to say  
that they have been unavailing.

Should, however, information come to this office later  
I will immediately advise the Department of same.

I am, Sir, the honour to be,

Sir,

Very respectfully,  


United States Consul.

Mr. Bureau

No. 38.

Consulate of the United States,

Pretoria, S.A.R., June 23, 1899.



Mr. Charles E. Macrum,

To the Department of State.

*Adm. Sec.  
August 18*



*Comm. Aug. 11/99*

Subject.

Appointment of a Consular Agent at Johannesburg.

*✓ John Green  
Aug 30 99*

Abstract of Contents.

Referring to Department's despatch No. 30, and mine No. 34.

Mr. Gordon has informed me of his acceptance of the position.-- His references.-- Will await Department's reply.--

Propose the appointment of Mr. W. E. Park.

*Recommendation Mr. Green letter  
August 8 '99 says affit Gordon*

*Recognition requested  
from the D. Apr. Rep. Aug 15 1999*



Consulate of the United States,

Pretoria. S.A.B., June 23rd, 1899.

Honourable David W. Hill,

Assistant Secretary of State,

Washington. U.S.A.

Referring to your despatch No.30, of May 18, 1899, I  
inform you that Mr. William T. Gordon,  
who had offered the appointment of Consular Agent at  
Johannesburg, as I have advised you in my despatch No.34 of  
the 14th inst., came over from Johannesburg this morning  
to inform me that he would accept the place. He tells me that  
his partner, Mr. Williams, represent the Thompson &  
the Swan & Finch Departments of the Standard Oil  
Co., in favorite Hubler & Co., Patterson, N.Y., Adam  
& West St., N.Y. City, W.E. Merrill & Co., Boston,  
the Iron Co., Philada., Jos. Dixon Crucible Co.,  
N.Y., and others. To these he refers as to his  
appoint.

I have told Mr. Gordon that I would advise him as soon  
as the Department in reply to my despatches.

I have also received during the last week

I respectfully oppose the appointment of Mr. W.E. Park to  
the position, as suggested in your despatch.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

26.39.



Consulate of the United States,

Pretoria, S.A.R., June 24, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Leave of Absence of J.C. Manion.

Abstract of Contents.

Mr. Manion requests leave of absence.-- Signature of Mr.

Chapin, who is left in charge of Agency.

*Ans Bureau*

*Act & appor*

*So Acted &  
Auditor informed  
August 2<sup>d</sup>*

No. 35.

Consulate of the United States.

Pretoria, S.A. ... June 21, 1894.

Honorable David M. Child,

Assistant Secretary of State.

Washington, D.C.A.

I have the honour to inform you that L.C. Manion, Consul  
General in Johannesburg, has requested a leave of ab-  
sence for an indefinite period to go to Durban, Natal,  
S.A., as noted by the enclosed letter from him. I  
have no other objection than to grant, as he had done before  
his communication.

Mr. Manion has named to have charge of the Agency Mr.  
J. H. M. whose signature I enclose.

Very respectfully,  
L. C. Manion

11.

Very respectfully,  
L. C. Manion

  
United States Consul

Very respectfully,  
L. C. Manion

RECEIVED  
23 JUN 1899  
U. S. CONSULATE,  
Pretoria, S. A. R.  
P.O. Box 1909.

CHAPIN & MANION, LTD.,  
ENGINEERS.

ACKNOWLEDGED,  
DATE JUN 24 1899

TELEGRAMS:  
OUTSIDER: JOHANNESBURG.  
TELEPHONE 358.

Johannesburg, June 22<sup>nd</sup> 1899

Charles E. Macnam  
United States Consul  
Pretoria

Dear Sir

Yours of the 20<sup>th</sup> is at hand.


As to anything about the Americans  
thinking of having an interview  
with the Government. I know  
nothing about any such matter.

As far as Americans having  
anything to do with the matter. I believe

that Chapin & Manion Ltd have more  
at stake than all the rest of them  
must leave for Durban to day  
and would suggest that you allow  
Mr H. W. Chapin to act while I am

Yours faithfully

J. E. Manion  
U. S. Consul

  
Signature of Charles E. Macnam



CHAPIN & MANION, LTD

ENGINEERS

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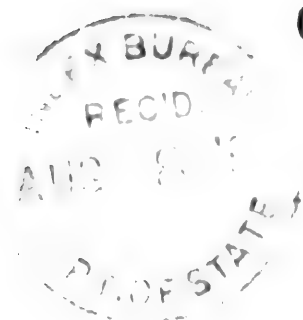
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*Cred Aug. 10, 1899.*

No. 40.



Consulate of the United States,

Pretoria, S.A.R., July 6, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Tenders for proposed Pretoria-Rustenburg Ry.

Abstract of Contents.

Supplementing my despatch No. 33 of June 13, 1899.--

Time for sending in tenders for Pretoria-Rustenburg Ry.

extended until Oct. 12, 1899.

No.41.

Consulate of the United States,

Pretoria, S.A.B., July 6, 1899.



Mr. Charles E. Macrum,

To the Department of State.



Subject.

Grievance of Mr. Joseph P. Gezzam.

*Acc by subject & filed*  
AUG 14 1899 9 AM

Abstract of Contents.

I receive affidavit of Mr. Gezzam of grievance against a Fieldcornet (an official elected by the people).-- Present the matter to the Foreign Secretary, who offers an apology and promises investigation and reparation.-- I enclose copy of affidavit and several letters.

No. 41.

Consulate of the United States,

Pretoria, S.A.R., July 6, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to inform you that on Monday morning, July 3rd last, I received from Mr. Manion, Consular Agent at Johannesburg, a sworn statement of Mr. Joseph P. Gezzam, a copy of which is enclosed and which will speak for itself.

It is needless to say that such a piece of news made me very indignant, and going at once to the Foreign Office I made to Mr. ten Haaf, who was acting, in Mr. Grobler's absence, as Foreign Secretary, an emphatic protest and demand for proper reparation, giving him a copy of the affidavit. Mr. ten Haaf personally apologized for the action of the Fieldcornet and promised to lay the matter before the Executive Council for immediate action. I at once wired Mr. Manion this conversation with instructions to wire it promptly to Mr. Gezzam.

Late the same evening (July 3rd) I received a note from Mr. Grobler, who had returned to the city, a copy of which I enclose. On the morning of the 4th I wired the gist of this note of Mr. Grobler's to Manion with instructions to promptly advise Mr. Gezzam. On the 5th instant I wrote Mr. Manion fully, confirming my wires. Copy of which letter I also enclose.

This morning I am informed at the Foreign Office that the Government has the investigation well in hand and will likely be able to make a report on it within a day or two.

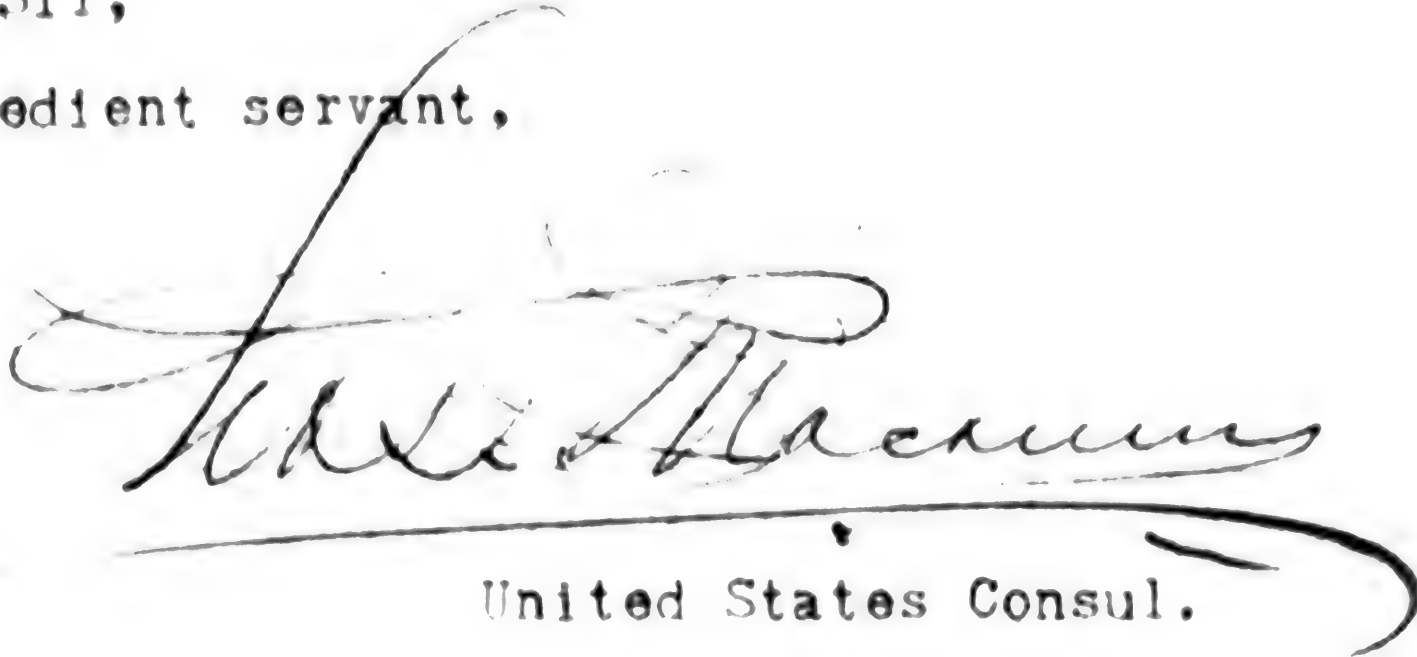


I have no reason to believe, nor indeed has anyone else, that the Government authorizes or will countenance any such action on the part of its officers, and this Fieldcornet must certainly have acted on his own responsibility. At the same time I shall insist on the Government making full reparation, and for this I trust I shall have your sanction.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosures:

- / Affidavit of Joseph P. Gezzam,
- 2 Copy of Mr. Grobler's note,
- 3 Copy of my letter to Mr. Manion.

JOSEPH P. GEZZAM being duly sworn deposeth :-

THAT he is a native born citizen of the United States of America having a passport from the State Department bearing the number 3449 and the date March 20th 1899,

THAT he at present occupies the position of General Manager of the Luipaards Vlei Estate & Gold Mining Co., Ltd,

THAT on the 20th day of June 1899 he visited the office of Mr. Fourie, the Field Cornet, Krugersdorp District, for the purpose of registering according to law, he having changed his ~~address~~<sup>Residence</sup> on that day to the Krugersdorp District,

THAT he exhibited to Mr. Fourie his passport and his certificate of registration from the Field Cornet of the Boksburg District,

THAT the said Mr. Fourie after asking the usual questions, of age, where born, &c., to which correct replies were made, demanded whether the deponent would assist the South African Republic in case of war: to which the deponent replied that being a citizen of the United States he had no right to take up arms against a friendly Power. THAT the <sup>Said</sup> Field Cornet then stated that the deponent would have to register either as a British subject or as being willing to assist the South African Republic in case of war. THAT the deponent objected to doing either stating that the fight was not his fight and that he would assist neither side,

THAT the said Field Cornet attempted to coerce the deponent but finding it unavailing finally put down his name on the books and made an entry to the effect that deponent was not willing to assist the South African Republic in case of war,

THAT the said Field Cornet further stated that in case of war all neutrals would be driven out of the Country.

SUBSCRIBED & SWORN to before me this 29th day of June 1899.

(signed) Joseph P. Gezzam.

Voor mij,

signed) L.P. Naude, (?)

V.R.

{ Landdrost's  
Seal.  
}

Abraham Lincoln

1809  
Feb. 12  
Hickory, Kentucky  
1862  
April 4  
Vicksburg, Mississippi  
1865  
April 4  
Ft. Sumter, South Carolina

(COPY)

DEPARTMENT VAN BUITENLANDSCHE ZAKEN.

Gouvernementskantoor,

Pretoria, 3rd July, 1899.

Dear Mr. Macrum,

Immediately on my return this morning from my trip, Mr. ten Haaf handed me the copy of the sworn statement made by Mr. Joseph P. Gezzam an American subject, and communicated to me the discussion he had with me on the subject.

It is with sincere regret that I learned of the matter and I hasten to inform you that the course taken by Fieldcornet Fourie as set forth in the statement is against the will and desire of the Government.

A most stringent investigation will at once be instituted and the result of same communicated to you without delay.

With best regards,

Yours sincerely,

(signed) P. Grobler,

(Foreign Secretary)



Repartick 11/1

(COPY)

DEPARTMENT VAN BUITENLANDSCHE ZAKEN.

Regeringskantoor.

Pretoria, 3rd July, 1899.

Dear Mr. Macrum.

Immediately on my return this morning from my trip, Mr. ten Haaf handed me the copy of the sworn statement made by Mr. Joseph P. Geynam an American subject, and communicated to me the discussion he had with you on the subject.

It is with sincere regret that I learned of the matter and I hasten to inform you that the course taken by Fieldcornet Fourie as set forth in the statement is against the will and desire of the Government.

A most stringent investigation will at once be instituted and the result of same communicated to you without delay.

With best regards.

Yours sincerely,

(signed) J. G. Grobler.

(Typed) J. G. Grobler.

Mr. Marion, Re ..

U.S. ...

John ...

Sir:

I received your letter of 11th inst. ... on Monday morning. When I went to the foreign office I found Mr. Grollier and I saw the ... giving him ... for ... the matter in ... I then wired you-- ... at 1.15 ... acting ... the matter ... at once. He promised further developments ... as soon as received. You ... "Mr. Grollier ...". -- which I now ... Late Monday evening I received a note from Mr. Grollier ... via: "Foreign Secre- ... that he sincerely regrets the course taken by Field Marshal Fournie, and says same was entirely against the will and desire of the Government. He says further that a most stringent investigation will be instituted immediately, and the result will be communicated to me without delay. You will wire this information promptly to Mr. Cezzar. Am sending Admiral telegram your care. Del- iver promptly." -- which I now confirm.

— 3 —

You may rest assured, and I trust you will so inform Mr. Lezzam, that I will not rest in this matter until the Government takes the proper steps and proper reparation is made.

I have been given to understand that if all the allegations contained in Mr. Gezzas's affidavit are proven in the Government's investigation, such an example will be made of the erring Field Agent that in future men in that office will be decidedly more careful in their actions, especially towards Americans.

We had a most glorious time at our celebration last evening, and should have been very glad to have had the "CHICAGO" officers with us. I don't know how many of the good time we had.

1911

1944-1945

100

You may rest assured, and I trust you will so inform Mr.

Wright, that I will not let the matter rest with the Government.

Very truly yours,

I have been given to understand that

the Government is not prepared to

take any action at this time.

Very truly yours,

W. L. Garrison

I have been given to understand that

the Government is not prepared to

cc  
Despatch # 41



~~CONFIDENTIAL.~~

*Ans. Rubeau  
Act by subject*

No. 42.



Consulate of the United States,

Pretoria, S.A.R., July 7, 1899.

Mr. Charles E. Macrum,

To the Department of State.

*ASST AUG 14 1899 Jmm*



Subject.

The Political Situation in the Transvaal.

Abstract of Contents.

Proposals for the modification of the Franchise Laws.--

Americans will not take the franchise.-- Admiral Howi-

son's visit to Johannesburg.-- My personal view of pol-

itics here.

CONFIDENTIAL.

No.42.

Consulate of the United States,

Pretoria, S.A.R., July 7, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

Following my despatches of April 16th and 25th last, Nos.25 and 26, re the condition of affairs, politically, in the Transvaal, I have the honour to report that a much easier feeling now exists. For the past week Mr. FISCHER, member of the Executive Council of the Orange Free State, and Mess. HOFMEYR and HERHOLDT, supposed to represent the Cape Government, have been laboring with the President and Members of the Legislature here for a modification of the franchise laws that would settle the differences between the "Uitlanders" and the Government. Finally on the evening of the 5th inst. a caucus of both branches of the Legislature with the President and Executive Council and Mess. Fischer, Hofmeyr and Herholdt was held, at which the following modifications of the franchise laws were practically unanimously agreed to: All persons at present naturalized shall have the right of full burghership immediately.

Those who have resided here since before 1891 shall be entitled to burghership, and likewise all who complete a nine years residence in the republic, from the date of their arrival.

Newcomers will obtain the full franchise after seven years residence, without naturalization or other probationary period, or after five years residence if they submit to being naturalized for a period of two years.

Sons of new burghers, born in the country, shall have full  
(burghership

burghership at the age of sixteen thus placing them on exactly the same footing as the sons of old burghers. Sons of Uitlanders, born here, if registered at the age of sixteen, will be entitled to claim the full franchise at the age of twenty-one years, without naturalization. Eight new members of the Volksraad will be allowed to the Gold Fields (i.e. Johannesburg): four in the first Chamber and four in the second. This is in addition to the existing representation.

There seems to be little doubt that these proposals will be passed promptly, and Uitlanders here generally express themselves as being fairly satisfied, although the proposals do not meet in every particular Sir Alfred Milners propositions as expressed at the Bloemfontein Conference.

I have met and talked to hundreds of Americans here and in Johannesburg and I have yet to meet one that, if their own expressions are to be believed, would take the franchise as a gift. and I don't believe that ten per cent. of the British Uitlanders would take it either.

It was with sincere regret that I learned that Admiral Corison, who leaves Johannesburg for Kimberley tonight, had refused to come to Pretoria. He informs me that among other things his mission to Johannesburg, though unofficial, was on the order of the Navy Department, by invitation of the American citizens residing in Johannesburg, and for the purpose of informing the Department concerning the status of our citizens in that place. As a rule people who are feted and feasted in Johannesburg only and see no other part of the country take with them, unless gifted with great perception, a very one-sided view of the situation. Then I thought it due to the Government and myself that the Admiral, who must of necessity pass through Pretoria on his way to Johannesburg, should stop over here for a moment at least, as I had, with the assistance of the Government officials arranged for all passes from Lourenço Marques through to Norval's Pont, Cape  
(Colony

Colony, where the Cape Railroad took them up, and there had been a right royal reception arranged for them.

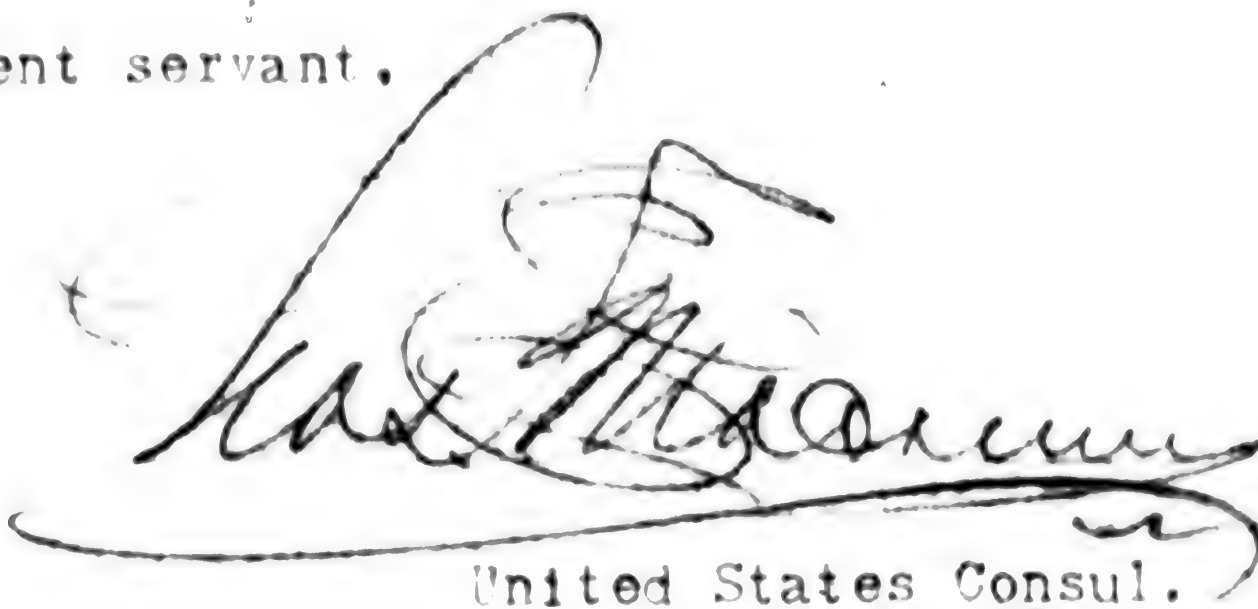
For your information I enclose a copy of the Admiral's letter of the 6th instant to me and my reply thereto.

I am not a partizan of this Government and I see as readily as anyone else the faults it has, but neither am I in any way biased as I look on the question from all sides, and on a question of principle we all admit, I think, that fairness is due to everyone. I would take sides with a dog that I thought was unfairly or brutally punished.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosure

Admiral Howison's letter (copy).

My letter in reply.



(COPY)

P.O.Box 619, Johannesburg, 6th July 1899.

Chas. Macrum, Esq.,

United States Consul,

P R E T O R I A .

Sir,

Referring to your telegram of 4th inst., I very much regret any misunderstanding should have existed concerning my visiting Pretoria. I was under the impression that it was clearly understood my visit to Johannesburg was a strictly unofficial one, made by order of the Navy Department, by invitation of the American Citizens residing in Johannesburg, and for the purpose of informing the Department concerning the status of our citizens in that place.

When Mr. Hollis, U.S. Consul at Delagoa Bay, suggested that I should visit Pretoria, I stated most definitely that I could not do so. Later, when Mr. Hollis spoke to members of my staff on this subject, my Flag Lieutenant and Flag Secretary stated positively that I was going to Johannesburg, but not to Pretoria.

Your telegram inviting me to visit Pretoria was received by me after I had come ashore at Delagoa Bay to start for Johannesburg, and I replied at the earliest opportunity, thanking you for your invitation, which I was obliged to decline. I presume this letter was received. However, even if I had previously intended to visit Pretoria, I certainly should not have done so after learning of the outrageous treatment accorded Mr. Gezzam, until full reparation had been made.

Very respectfully,

(signed) H. L. Howison,

Rear Admiral U.S. Navy.

Commander-in-Chief, U.S. Naval Forces, South Atlantic  
Station.

(COPY)

P.O. Box 618, Johannesburg, 6th July 1898.

Macrum, Esq.,

United States Consul.

P R E T O R I A .

Referring to your telegram of 11th inst., I very much regret any misunderstanding should have existed concerning my visit to Pretoria. I was under the impression that it was clearly understood that I was a strictly unofficial one, made on order of the Navy Department, by invitation of the American Citizens residing in Johannesburg, and for the purpose of informing the Department concerning the status of our citizens in that place.

When Mr. Volz, U.S. Consul at Delagoa Bay, suggested that I should visit Pretoria, I stated most definitely that I could not do so. Later, when Mr. Volz spoke to members of my staff on this subject, my Flag Lieutenant and Flag Secretary stated positively that I was going to Johannesburg, but not to Pretoria.

Your telegram inviting me to visit Pretoria was received. After I had come ashore at Delagoa Bay to start for Johannesburg, I replied at the earliest opportunity, thanking you for your invitation, which I was obliged to decline. I presume this letter was received. However, even if I had previously intended to visit Pretoria, I certainly should not have done so after learning of the treatment accorded Mr. German, until full reparation had been made.

Very respectfully,

(Signed) F. L. Howison.

First Admiral W. S. Navy.

Commander-in-Chief, U.S. Naval Forces, South Atlantic Station.

asking. Could not advise you sooner and have done my best for you. Admiral will explain." This then left me with the impression that you had the intention of coming here, as you had not declined and there had been plenty of time and Mr. Hollis had free use of the wires.

So you see, my dear Sir, that it is evident that any misunderstanding that has occurred has not been at this end.

With regard to the matter of the outrageous treatment of Mr. Tolson, I have to say that no one regrets it more than the Government here, and we are no doubt aware of the steps taken looking to reparation. Of course I have also full resort of it to the Department of State at Washington. You are also no doubt aware that Fieldcornt is not properly a Government official, but is elected by the people of his district, and the offense of which he is guilty would cast as little stigma on the State as on of the same kind committed by a sheriff or city Marshall in the United States should cast on the Government here.

The poor "Titlender" has many a serious grievance against this Government, but I sincerely hope that the time is near when light will enter the councils of the State and matters will shape themselves toward an amelioration of the those conditions, in fact it is whispered that it has already been done, and you will no doubt see the facts published before this reaches you.

You take with you my best wishes for a pleasant home voyage.

Very sincerely yours,

United States Consul.

Seperate #112

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Pretoria, S.A.B.,

July 7, 1899.

Admiral H. L. Howison,

c/o Gardner Williams, Esq.,

U.S. Consular Agent.

Westerley.

Sir:

Replying to your letter of the 6th inst., I have to say that I doubt we all regret the misunderstanding, but more than all I regretted that you could not be with us on the evening of the Fourth.

The facts which evidently caused the misunderstanding are these, viz: Ever since I learned that the "CHICAGO" was at Zanzibar I had made up my mind to arrange a royal reception for yourself and your staff if you came to Pretoria, and I had placed invitations in Mr. Hollis' hands to be communicated to you on arrival at Lourenço Marques. On Friday, June 30th Mr. Hollis wires "Your wires received and will lay your proposals before Chicago's officers and do best I can for you. Will be advising Sao Paulo re Director re passes, etc." On Saturday, July 1st, he wires "Chicago arrived today. Admiral Howison gets passes from Transvaal to Capetown for himself and twelve officers, etc., etc." Then, although I had read your invitation and Hollis for information, I did not leave Pretoria Saturday or Sunday until Monday morning, when at 10:30 A.M. I received the following wire from Mr. Hollis: "All your telegrams received and shown to Admiral Howison who left Sunday morning with seven officers for Johannesburg."

(bar)

No. 43.

Consulate of the United States,

Pretoria, S.A.R., July 10, 1899.



Mr. Charles E. Macrum,

To the Department of State.



Subject.

Citizenship of W. Bakovitz.

Abstract of Contents.

I enclose letter from W. Bakovitz, re his American citizenship, and my reply thereto.-- Status of Americans here in event of war, as regards military draft.

No.43.

Consulate of the United States,

Pretoria, S.A.R., July 10, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

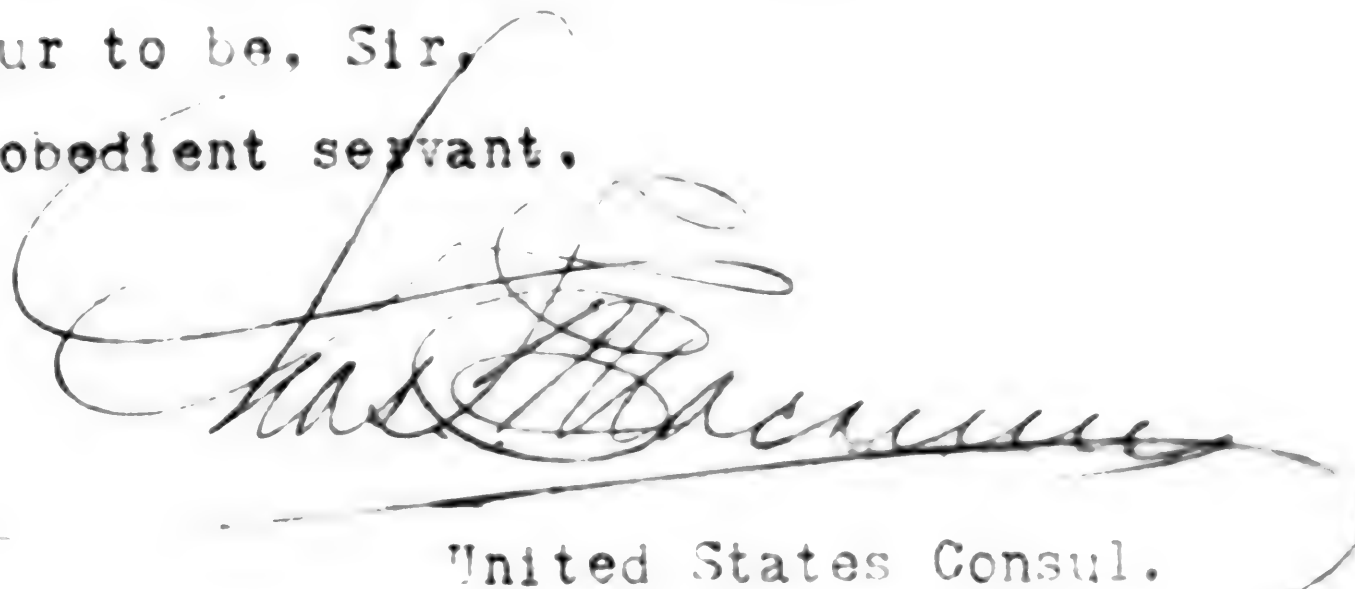
Sir:

I have the honour to inform you that in a letter from one W. Bakovitz, who is evidently not aware of his exact status with regard to American citizenship, he sends me his naturalization certificate, of which I enclose a copy. As you will see from my letter to him in reply, copy of which I also enclose, I have advised him that he was a full citizen of the United States, my authority for this being Section 2167 R.S., (§876 Cons. Reg.) with which Section he seems to have complied and under which he was naturalized.

You will see what I have replied to him regarding the status of Americans here in the event of trouble that has, until the last few days, been quite promising. If you will refer to your despatch No.25 of April 10th last you will see that I have had no instructions as to replying to these numerous inquiries re "commandeering", and must rely upon what authorities I have at hand. The quotations I have used in letter to Bakovitz are from Whartons Digest, Chap.VI, §223, pp.577 and 578. I should appreciate confirmation of above.

I have the honour to be, Sir,

Your obedient servant.



United States Consul.

Enclosures:

Copy of W.Bakovitz' certificate of naturalization.

Copy of my letter to Bakovitz.

No. 155/88.

Pretoria, C.S.A.,

June 27. 1931.

M. Salovitz, Esq.,

Box 156, Klipfontein.

Dear Sir:

I wired you this morning that your papers were in order and indicated that you were a full citizen of the United States.

With regard to the current war rumours I would say that as yet I have perfect faith that all these difficulties will be settled amicably, and therefore I see no cause for alarm. To understand your situation properly you should know that "it is believed to be a received principle of public law that subjects of foreign countries domiciled in a country in a state of war are not entitled to greater privileges or immunities than the other inhabitants of the insurrectionary district" and "by voluntarily remaining in a country in a state of civil war they must be held to have been willing to accept the risks as well as the advantages of that domicile."

Should any attempt be made to commandeer your person or property you would do well to inform me promptly by telegraph.

Yours very truly,

United States Consul.



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State of North Carolina. }  
Edgecombe County. }

Superior Court,

Fall Term 1892.

At a Superior Court of Law held for the County of Edgecombe at the Court House in Tarboro on the 6th Monday after the 1st Monday in Sept. 1892 before Hon. Geo. A. Shuford, Judge, W. Bakovitz, a native of Russia, a free white person and at the present time a resident of Edgecombe County appears: The said Court being a court of record having common law jurisdiction and a seal and clerk, and being duly sworn declares upon oath that it is and for the last three years has been bona fide his intention to become a Citizen of the United States, to renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever, and particularly all allegiance and fidelity to Alexander III, Czar of Russia, of whom he is now a subject, and the said W. Bakovitz, after making the said declaration, applies to the said Court to be admitted a Citizen of the United States, and it appearing to the satisfaction of the Court, upon the oath and examination of Morris Greenblat, that the said W. Bakovitz resided in the United States three years next preceeding his arrival at the age of twenty one years, that he has continued to reside therein up to the time of making this application, that he has resided in the United States for five years including the said three years of his minority and for one year next preceeding the same he has resided in the State of North Carolina. The said W. Bakovitz being thereupon sworn declares upon oath that he will support the Constitution of the United States and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State and Sovereignty whatsoever and particularly all allegiance to Alexander III Czar of Russia of whom he is now a subject.

And thereupon the said W. Bakovitz is admitted to become a citizen of the United States of America, and it is ordered that all the above proceedings be recorded by the Clerk of this Court.

Witness my hand and official seal this 22nd of October, 1892.

(Signed) W. Pennington, Clerk,

Seal  
of the Court.

Superior Court.

2  
28  
in  
Stephens 443.

*Handwritten signature*  
No.44.



Consulate of the United States,

Pretoria, S.A.R., July 10, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject.

*Ack Aug 17*

Request from S.A.R. Government for list of M.D's, etc.

Abstract of Contents.

I receive request from Foreign Secretary for copy of list of practitioners of Medicine, Surgery and Obstetrics in the United States for the use of the Board of Medical Examiners, copy herewith.



No.41.

Consulate of the United States,

Pretoria, S.A.R., July 11, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

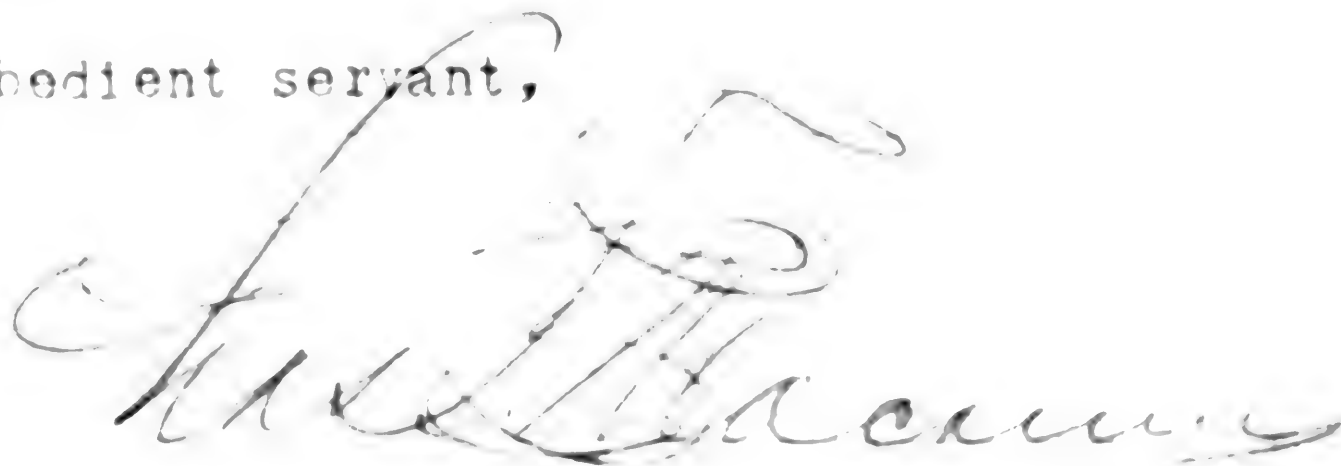
I have the honour to enclose herewith copy of a letter from the Foreign Secretary of the Transvaal, Hon. P.G.W. Grobler, with a translation of same, which will speak for itself. I have replied to him that I thought such a list as he wants, of practitioners of Medicine, Surgery and Obstetrics in the United States was impossible to obtain, but that I would submit his request to my Government.

Can such a list be obtained for him ?

I have the honour to be.

Sir,

Your obedient servant,



United States Consul.

Enclosure:

Letter of Foreign Secretary with Translation.

Original.)

(COPY)

Naar aanleiding van een desbetreffend verzoek van den Secretaris van den Raad van Examinatoren, vervat in zijn schrijven van den 27sten Merer, heb ik de eer U te verzoeken zoo goed te willen zijn mij Uwe bemiddeling te verleen tot het verkrijgen, ten behoeve van den Raad voornoemd, van de jongste uitgave der registers van de namen van Genees-heel en Verloskundigen in de Vereenigde Staten als zoodanig geadmiteerd.

-----

(Translation)

In consequence of a request of the Secretary of the Board of Examiners, contained in his letter of the 27th inst., I have the honour to request that you will be good enough to obtain, on behalf of the aforesaid Board, copies of the latest publications of registers of the names of practitioners of Medicine, Surgery and Obstetrics in the United States as so admitted.

-----

Above is original text with translation of letter of Hon. P.C.W. Grobler, Foreign Secretary of S.A.R., dated June 29, 1899, to C.E. Macrum, U.S. Consul at Pretoria, S.A.R.

(Original.)

(COPY)

Naar aanleiding van een desbetreffend verzoek van den Secretaris  
an den Raad van Examinatoren, vervat in zijn schrijven van den 27sten  
maart, heb ik de eer u te verzoeken zoo goed te willen zijn mij "we de  
aandeling te verleenen tot het verrijken, ten behoeve van den Raad  
voor oomb, van de jongste uitgave der registers van de namen van Genees-  
kennis en Verloskundigen in de Vereenigde Staten als noodnig geacht.

(Translation)

In consequence of a request of the Secretary of the Board of  
Examiners, contained in his letter of the 27th inst., I have the honour  
to request that you will be good enough to obtain, on behalf of the  
Resaid Board, copies of the latest publications of registers of the  
names of practitioners of Medicine, Surgery and Obstetrics in the United  
States as so admitted.

Above is original text with translation of letter of Hon. E. C. W.  
Hon. Foreign Secretary of U. S., dated 19th April 1899, to E. C. W.  
Consul at Detroit, S. A. B.

Receivable - 11/11/11

*Handwritten signature*

No.45.



Consulate of the United States,

Pretoria, S.A.R., July 12, 1899.

*Cons Bureau - August 2  
Approved - Ciddle*

Mr. Charles E. Macrum,

To the Department of State.



Subject.

Leave of Absence for Mr. J. C. Manion.

Abstract of Contents.

J.C.Manion, Consular Agent at Johannesburg, asks leave of absence to visit Europe, which I have granted, according to Consular Regulations.-- Mr. R. W. Chapin has charge.



No.45.

Consulate of the United States,

Pretoria, S.A.R., July 12, 1899.

Hon. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir:


I have the honour to inform you that I this morning received a letter from J.C.Manion, Consular Agent at Johannesburg, in which he informs me that he leaves tomorrow evening for Durban. Natal, to take steamer for Capetown and thence to England, and asks for leave of absence, which I have, of course, granted.

Mr. Manion has named to have charge of the office in his absence, Mr. R. W. Chapin, whose signature I sent the Department under cover of my despatch No.39, of June 24th, 1899.

I have the honour to be,

Sir,

Your obedient servant,

  
United States Consul.

*Ans Bureau*

No. 46.



Consulate of the United States,

Pretoria, S.A.B.. July 19, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Grievance of Joseph P. Gezzam.

Abstract of Contents.

I receive reply from Government in the matter of Joseph P. Gezzam's complaint.-- Copy of translation of same is herewith enclosed.-- Have forwarded copy to Mr. Gezzam with request for immediate reply.

*ACK by subject awaiting  
promised further com-  
munication.  
Alder*

*Ans  
Aug 29  
1899*

No.46.

Consulate of the United States,

Pretoria, S.A.R., July 19, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

Referring to my despatch No.41, of July 6, 1899. I have the honour to inform you that a reply has been received from the Government in the case of Joseph Gezzam's grievance, copy of the translation of which I enclose herewith.

I would say that I have transmitted a copy of this translation to Mr. Gezzam, through Mr. Chapin, Acting Consular Agent at Johannesburg, with a request for an immediate reply to same, as to whether he is satisfied with the explanation. I shall advise the Department promptly of any further negotiations.

I have the honour to be,

Sir,

Your obedient servant.



United States Consul.

Enclosure:

Transvaal Government's reply to Mr. Gezzam's complaint.

translation)

DEPARTMENT OF FOREIGN  
AFFAIRS  
GOVERNMENT OFFICES.

PRETORIA, July 15, 1899.

With reference to a sworn declaration of a certain Mr. Joseph Gezzan of the United States, which you have handed in to this office, complaining of the treatment accorded to him by Fieldcornet Fourie, Krugersdorp District, I have the honour now to inform you that a thorough inquiry has been made into the circumstances of this affair, and, in consequence thereof, this Government has been informed by the Special Landdrost of Krugersdorp that a register had been taken over by the present Fieldcornet from his predecessor, the pages whereof, to facilitate the booking of the names, have been divided into different columns with different headings; for instance: "Age", "How long in Country", etc., etc., and also a column headed "subject, or, Liable to Service"; this last column has probably given rise to this very regrettable misunderstanding, as the Fieldcornet -- being deceived by the heading of the column -- was of the opinion that it concerned the one or the other. He denies, however, the assertion contained in the last part of the declaration, that he had said that all persons who remain neutral will be driven out of the country. This Government, in taking into consideration the declaration of the Fieldcornet, is of the opinion that it was not the intention of this official to cause the impression that has probably been made on Mr. Gezzan by his words, and hopes that you will regard the affair in that light.

I have the honour, etc., for State Secretary,

(signed) P. Grobler.

Under State Secretary for Foreign Affairs.

Charles E. Macrum,

Consul of the United States of America, Pretoria.





Cable Bureau

No. 47.



Consulate of the United States,

Pretoria, S.A.R., July 19, 1899.

*Chas. E. Macrum*  
*Aug. 25*

Mr. Charles E. Macrum,

To the Department of State.

AUG 23 1899

Subject.

"Scheme for the Protection of Johannesburg."

Abstract of Contents.

I enclose "Scheme" for the "protection" of Johannesburg.--

A sample of many proposed.-- I enclose my reply.

No.47.

Consulate of the United States.

Pretoria, S.A.R., July 19, 1899.

Hon. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir:

I have the honour to hand you herewith a "scheme" for the "protection" of Johannesburg, as evolved in the brain of one of our citizens in that city.

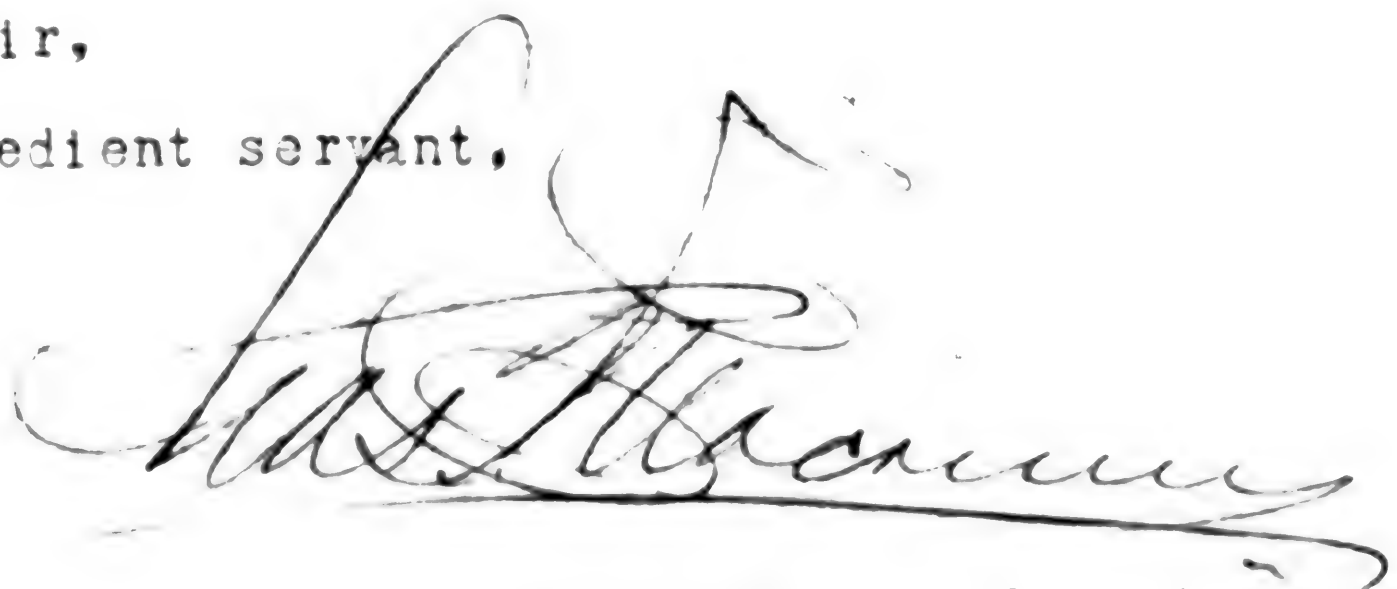
I send you this only because it happens to be a written communication, for it is only one of a great many that have been proposed to me, but they usually come in course of conversation with deputations sent over to see me, or coming over of their own volition. They all seem to lose sight of the fact that the Government here has its own ideas of "protecting" that tempest tossed town.

I also enclose my reply to Mr. Sullivan.

I have the honour to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, appearing to read 'W. H. Thompson', is written over the typed name and extends across the signature line.

United States Consul.

Enclosures.

1. Letter of M. J. Sullivan. detailing plan.
2. My reply to him.



Mr McCrumm

American Consul  
Victoria Z.A.R.

Dear Sir

Being that I had the pleasure  
of meeting you I take the liberty of writing  
you this letter  
the present state of affairs in this Country  
points to war. Both Briton and Boer seem  
to be getting Ready for the Fray.  
I have talked to several Americans on the  
underelemented matter. and they Requested  
me to write to you, to see what you had to  
say on the matter, or to see if you could not  
work up a scheme, so that in the event of  
war. we may do some good.  
The most of them seem to think that all  
Americans should be strictly neutral.  
at present their standing with the British  
is very good. and the Boers have not any  
dislike for them. although the Organizing  
of the George Washington Corps during the  
Garrison Raid was a disgrace to Every  
American in South Africa. But you must  
know that most all of them were Canadians.  
with some Britishers. and only three Americans  
in the Company.  
if you were to consult the foreign Consuls  
in the event of war to approach the  
Government and plead in the Cause of  
humanity. to be allowed to govern  
Johannesburg. and suburbs. and as many of the  
mines on the Main Reef as the Government  
will allow  
the Consuls. or as many of them as wish to  
go into the movements to Guarantee Street



Neutrality, and also the protection of life and property; this means for the Boer that he can withdraw a thousand <sup>men</sup> from Johannesburg, to be able to use in other places. This move would make the Foreigners in Johannesburg feel more secure, for both sides tell some horrible tales of foul murders, and the wanton destruction of property in past wars in South Africa. The town should be divided into districts in proportion to the number of men that each Consul could guarantee. The police force of each Consul to elect their own officers, or else be appointed by such Consul. But all appointments to be approved of by the Boer Commandant of the District. The interests of the Boers to be looked after by whomsoever the Government choose to appoint. Property holders to be allowed to choose or appoint private watchmen. But such watchman & property should be registered at the District head quarters. Such watchman to be responsible for such property, and he shall not absent himself from such property without a permit to do so. Furthermore he shall report himself at the District head quarters twice each 24 hours. The sanitary arrangements of the town must be carried out as at present. The town must be kept lighted. The water works must be kept going. A coal mine must be kept opened. A train for coal must be kept going for the town & water works. Some necessaries of life must be left come in





# The Witwatersrand Gold Mining Company, Ltd.

COMMUNICATIONS TO BE ADDRESSED  
THE GENERAL MANAGER,  
P.O. BOX 1019.

MINE OFFICE, KNIGHTS, (646)

Johannesburg, July 14 1899

Mr McCum

American Consul  
Pretoria T.A.R.

Dear Sir

a few of the Americans here  
will go to ~~sell~~ you on the above  
scheme if necessary, or we will  
willingly let men ~~bring~~ a petition  
if sent down here by you with a request  
to do so.

in the event of your working this scheme  
out; We would advise you not to let  
Mr Manion the Ex Consular agent have  
anything to do with it; as he is very  
unpopular with ninety percent  
of the Americans on the land.

They consider him no good only for  
Manion

Yours Respectfully

J. Bulfinch

RECEIVED  
18 JUL 1899  
U.S. CONSULATE,  
Pretoria, S. A. R.

ACKNOWLEDGED,  
DATE JUL 18 1899



The Philadelphia Gold Mining Company, Ltd.

MINE OFFICE, KNIGHTS

DEPT. OF MINES, PHILADELPHIA

Reckard #417

RECEIVED

APR 10 1891

TO THE

MANAGER OF THE

MINE OFFICE, KNIGHTS

RECEIVED

APR 10 1891

TO THE

MANAGER OF THE

MINE OFFICE, KNIGHTS

RECEIVED

APR 10 1891

TO THE

MANAGER OF THE

MINE OFFICE, KNIGHTS

RECEIVED

APR 10 1891

TO THE



1010. 1.1.7..

July 12, 1901.

M. J. Sullivan, Esq.,

Box 2956, Johannesburg.

Dear Sir:

I am in receipt of your letter of the 14th inst.. it having just come to hand this morning.

I have to say that same shall still have due consideration. At this time the probabilities of war are quite remote, and I am confident that the Transvaal Government have arrangements made for the proper protection of Johannesburg.

The necessity of our citizens in this State remaining strictly neutral in the event of serious trouble will be obvious to you, and I have no doubt that the great majority of them will take this stand.

Thanking you for your suggestions and assuring you, believe

Yours very truly,

United States Consul.

in  
Asperisk #47

*Ans. Bureau*

No. 48.

Consulate of the United States,

Pretoria, S.A.R., July 26, 1899.



*✓ Ans'd Sept 2, 1899*

Mr. Charles E. Macrum.

To the Department of State.



Subject.

Release of Richard Floyd Nichols.

Abstract of Contents.

Richard Floyd Nichols and others charged with High Treason have been discharged from custody.

No. 48.

Consulate of the United States,

Pretoria, S.A.R., July 26, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

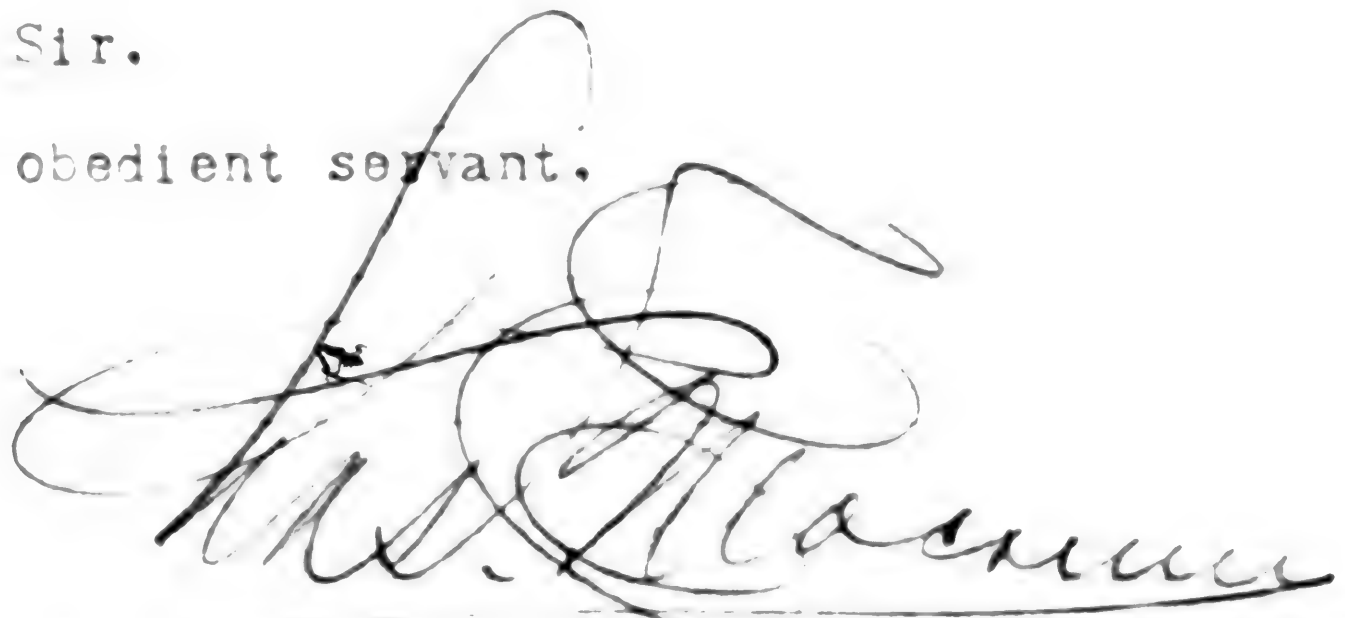
Referring to your cablegram of May 25, 1899, I have the honour to inform you that the Assistant Attorney-General of the State informed me this morning that the Government had decided not to prosecute in the case of Richard Floyd Nichols and others charged with High Treason, and they have been released from custody.

I presume this closes the incident.

I have the honour to be,

Sir.

Your obedient servant.

A handwritten signature in dark ink, appearing to read 'W. S. Massey'. The signature is fluid and cursive, with a large, sweeping initial 'W' and a long, horizontal flourish extending to the right.

United States Consul.



No. 49.

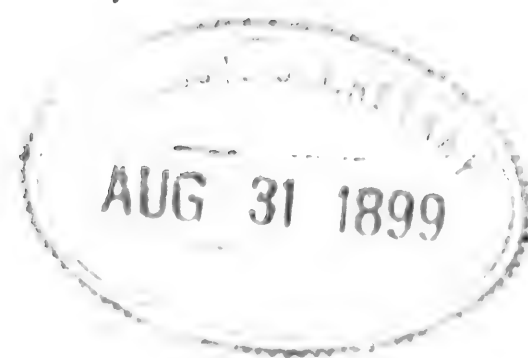


Consulate of the United States.

Pretoria, S.A.R., July 29, 1899.

Mr. Charles E. Macrum.

To the Department of State.



Subject.

Proposed Treaty with the South African Republic.

*Uns*  
*Sep 5*  
*1899*

Abstract of Contents.

Acknowledge receipt of Department despatch No. 36, re proposed treaty.-- Draft will be drawn within a few days.-- Transvaal Government favors their treaty with France, and will ask for the insertion of extradition clause.

No. 49.

Consulate of the United States.

Pretoria, S.A.R., July 20, 1899.

Honourable John Hay,

Secretary of State of the United States,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of your No. 36 of June 27, 1899, with reference to the proposed treaty between the United States and the South African Republic, and with enclosures as noted.

Upon the receipt, yesterday, of your despatch I called upon the Foreign Secretary, Mr. P. G. W. Grobler, and it was decided that we should have a meeting within a few days and formulate a draft that we may submit to our respective Governments.

I gather from his remarks that his Government will favor a treaty drawn somewhat on the lines of their present treaty with France, and will also favor the incorporation of provisions for the extradition of criminals therein, after the style of our agreement with the Orange Free State. Am I to understand that this extradition clause is compatible with your views?

I have the honour to be,

Sir,

Your obedient servant.

A large, stylized handwritten signature in dark ink, likely belonging to the United States Consul in Pretoria at the time.

United States Consul.

*Cons. Bureau*

No. 50.

Consulate of the United States,

Pretoria, S.A.R., July 29, 1899.



Mr. Charles E. Macrum,

To the Department of State,



*ack & send copy  
of circular with  
suitable notice  
trans. A. J. S.*

Subject.

Administering Oaths in Patent Applications

Abstract of Contents.

Request for copy of Department circular of November 11,

1897, or for full instructions regarding the preparation

of patent applications.

*inc  
Sep 5  
1899*

No.50.

Consulate of the United States.

Pretoria, S.A.R., July 29, 1899.

Hon. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir:

Referring to Department's communication of April 14th, last, to "Certain Consular Officers of the United States", regarding directions for administering the oath required in patent applications, I have the honour to inform you that I have no copy of the circular referred to: that dated ~~November~~ <sup>May</sup> 11, 1897, and as some patent applications come to this office for authentication, I take the liberty of requesting that a copy of said circular be sent to me, or that full instructions be forwarded to me from the Interior Department as to the mode of preparing patent applications.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.



No. 51.

Consulate of the United States,

Pretoria, S.A.R., August 2, 1899.



*Adm. no.  
Sept 18-*

Mr. Charles E. Macrum,

To the Department of State,



Subject.

Flags and Flag-staff for Bloemfontein Agency.

Abstract of Contents.

I request authority to erect a flag-staff at the Bloemfontein Consular Agency.-- Also request flags sent by mail.

No.51.

Consulate of the United States,

Pretoria, S.A.R., August 2, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

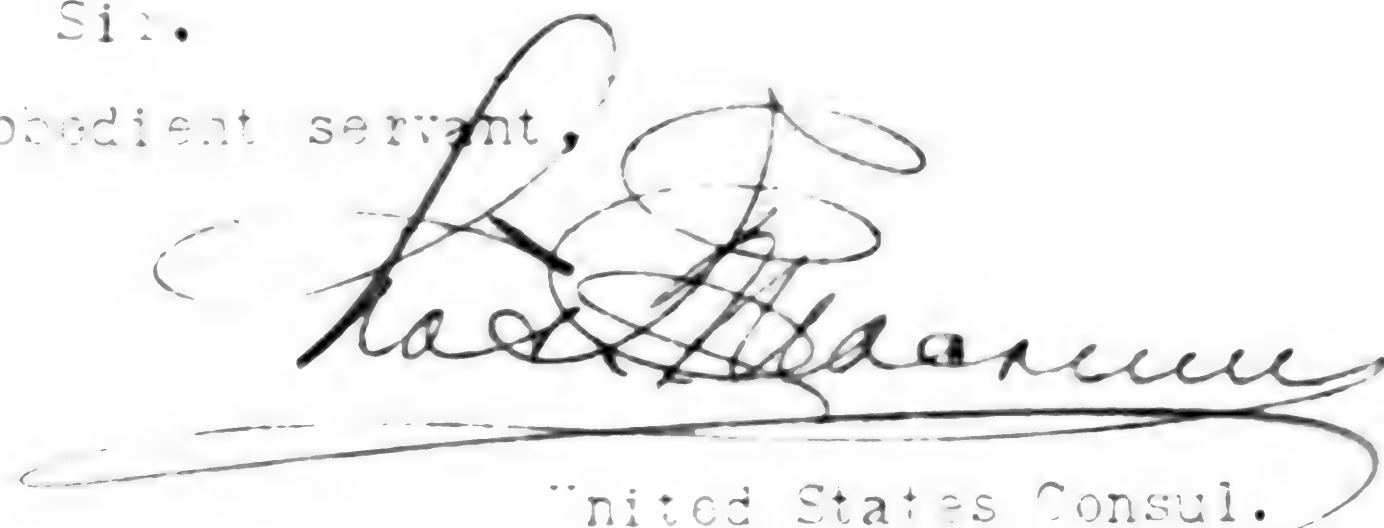
Sir:

I have the honour to say that when Col. Stowe was here some time since he informed me that while he was in Bloemfontein, the Consular Agent at that place asked him to get my consent to his (Elliott's) erecting a small flag staff over his office at a small expense, I presume it would not cost him over £5, and the Colonel did speak to me of the matter, but in the press of other matters it was over-looked. Now Mr. Elliott has written to me on the subject and I would respectfully suggest that such authority be given. He informs me that on last Fourth of July he was compelled to borrow an old U.S. flag, and would like some sent to him. As I shall need one of the small (8"X 4"2') flags soon (the wind here soon whips them out), I would respectfully request that three of this size be sent to me by mail, if sent by freight it takes a long time to get them.

I have the honour to be,

Sir,

Your obedient servant,

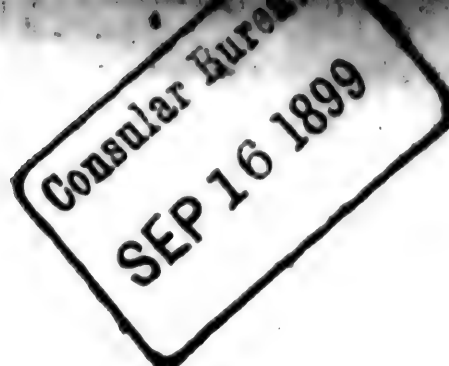


United States Consul.

ms  
H.  
No. 52.

Consulate of the United States,

Pretoria, S.A.R., August 11, 1899.



Mr. Charles E. Macrum,

To the Department of State,



Subject.

Military Clause in Transvaal Constitution.

ABSTRACT 2 1899 *hmm.*

Abstract of Contents.

Adoption of military clause in new constitution.-- May  
cause trouble in future. Refer to my despatch No. 10.

25 *Aug* 10, 99  
51 *Sept.* 15, 1899  
21 *Aug* 25, 99

Consular Bureau.

MEMORANDUM.

Consular Bureau.

SEP 16 1899

Mr. Adee,

This will  
interest you.

barr.

Mr. Carr.

Thanks. Mr. Macrum's  
report will enlighten us, if it  
ever comes. all



No.52.

Consulate of the United States,

Pretoria, S.A.R., August 11, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to inform you that the Legislature (Volksraad) of this Republic has been for some days considering, and passing by articles, the new Constitution (Grondwet) for the country, and on coming to article 74, which, translated, reads: "In case of war, rebellion, or other circumstances of urgent danger, the President can, in consultation with the Commandant-General and with the consent of the Executive Council, proclaim martial law, and then every inhabitant, without any difference, is obliged to support the State in its defence." the said article 74 was carried by emphatic acclamation, several members forcibly striking the table with their fists.

Many of our citizens, as well as other aliens, have expressed concern at the adoption of such a principal, and I have no doubt that it will lead to unpleasant complications in case of a rupture between Great Britain and this country. Please refer to my despatch No.10 of November 5, 1898, on subject of drafting aliens.

I have the honour to be, Sir,

Your obedient servant.



United States Consul.

*Cons*

No. 53.

Consulate of the United States,



Pretoria, S.A.R., August, 12, 1899.

Mr. Charles E. Macrum,

To the Department of State,



Subject.

*To Interior Nov. 19, 1899.*

Admission of Physicians to Practice.

Abstract of Contents.

Difficulty of American physicians obtaining registration in the Transvaal.-- Plan for tabular list of American Medical Schools with requirements.-- Draft of form for such a list enclosed.

No.53.

Consulate of the United States,

Pretoria, S.A.R., August 12, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to inform you that, as I have brought to your notice in my despatch of January 10, 1899, No.18, graduates of American Medical Colleges are placed at a great disadvantage when applying for registration in this Republic, owing to the great diversity of our different States' rules relative to the practice of medicine.

Dr. Knobel, Chairman of the Medical Board, has taken quite an interest in the matter, at my solicitation, and has devised a plan that will probably simplify the admission of American doctors in this State, if the proper data can be obtained. The draft of the tabular list that I have enclosed explains the Doctor's idea, and if this can be properly compiled and certified by the Surgeon-General of the U.S.Army, or some equally competent authority, and forwarded to me promptly, it will without doubt be of great benefit to many American graduates applying for registration here. I enclose Dr. Knobel's letter.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosures:

Copy of Dr. Knobel's letter and draft of list.



# Synopsis of Medical, Surgical, & Obstetrical Degrees granted by examination by the 140 Universities & Colleges

Alphabetical list of the names of the respective Universities & Colleges granting the respective degrees	Name of the Town & State in which the College is founded	In what year was the College founded?	How many years of professional study were required to obtain this degree or Diploma, up to the year 1894?	(a) Is a four years' course of professional study now compulsory? & in what year did it become so?	In which 'States of the Union' does this Diploma allow the holder to practice without further examination? (i.e. by simple Registration or License)	Does the Board of Regents of the State of New York recognize this Diploma as qualifying for the Army or Navy Service?
A sample of what the Board of S. A. R. requires & would like to g	Chicago Illinois	1837	3 yrs up to 1897	(a) yes. (b) from 1st June 1897	? (we have not this information in Pastoria)	? (we have not this information in Pastoria)



# Medical Degrees granted by examination in the U. S. America ties & Colleges

	<p>(a) Is a four years' course of professional study now compulsory? &amp; in what year did it become so?</p>	<p>In which 'States of the Union' does this Diploma allow the holder to practice without further examination? (i.e. by simple Registration or License)</p>	<p>Does the Board of Regents of the State of New York recognize this Diploma as qualifying to practice? &amp; for the Army or Navy Service</p>	<p>General remarks.</p>
<p>many of pro- fessional study of professional study now compulsory? &amp; in what year did it become so? 1894?</p>				
<p>P. A. R. requires &amp; would like to get</p>	<p>(a) yes. -                  (b) from 1st June 1897</p>	<p>? (we have not this information in Patavia)</p>	<p>? (we have not this information in Patavia)</p>	<p>officially recognised by R. C. P. &amp; R. C. S. of England, &amp; by the Conjoint Board</p>

Beclann in  
Despatch No 53.

No.54.

Consulate of the United States,

Pretoria, S.A.R., August 12, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to request that a copy of the last issue of "Foreign Commercial Relations", as I have not as yet received a copy, be sent to me.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read "L. E. Macanum". The signature is written in a cursive style with a long horizontal flourish extending to the right.

United States Consul.

No. 55



Consulate of the United States,

Pretoria, S.A.R., August 21, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Cablegram.

*Tell him to confirm  
ciphers by giving  
the ~~the~~ figures  
Done Sept 29 '99.*

Abstract of Contents.

Confirmation of Cablegram sent today to Department.



No.55.

Consulate of the United States,

Pretoria, S.A.B., August 21, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to confirm the following cablegram, sent at the instance of a committee of American citizens and by them paid for, viz: "Secstate, Washington, 01271 04582 05027 19475 14377 09791 22701 03645 01848 20808 09810 03138 05574 12916 16385 18068 08638 23900 18788 16004 04565 17632 06479 17626 11763 05608 04979 10177 01359 24155 05506 08781 05992 14370 17780 14281 13370 01559 08647 12203 24166 07612 20857 22660 02472 15676 01981 06676 21895 01190 01848 11377 15459 16385 20348 13370 03767 05089 01089 01359 15385 22821 05830 14110 11975 19450 06676 22622 15907 22289 19761 07640 16057 22715 01271 13570 02472 11721 12528 20784 03991 23900 24049 01590 11565 05050 24111 02472 07035 22089 19412 20987 02472 14058 22701 10439 11557 18025 13618 17945 07200 01271 04582 Macrum".

I have the honour to be,

Sir,

Your obedient servant.



United States Consul.

TELEGRAM RECEIVED IN CIPHER.



From Pretoria, Aug. 21, 1899.

Received 2.18, P.M.

Secstate,

Washington.

American citizens committee request me forward this cable. Article 74 Boor constitution just passed provide event war, rebellion other circumstances pressing danger President in consultation Commandant General and with consent Executive council may proclaim martial law and every inhabitant without distinction shall then be obliged assist defence state, also Article 109 passed says law can compel alien and negro to co-operate maintaining independence republic, defence territory or suppressing revolt, disturbance. Over thousand American liable be impressed into service case war which appears imminent. Communication will be destroyed. Strong representation should be made this Government immediately protect life property dignity American citizens.

Macrum.

Deciphered by

No. 53

Consulate of the United States,

Pretoria, S.A.B.. August 24, 1899.



Mr. Charles F. Macrum,

To the Department of State.

**FILE**

Subject.

Receipt of cablegram.

Abstract of Contents.

Acknowledge receipt of cablegram re military draft.

No. 56. /

Consulate of the United States,

Pretoria, S.A.R., August 24, 1899.

Mor. David A. Hill,

Assistant Secretary of State

Washington, U.S.A.

I have the honour to acknowledge the receipt of your

letter of yesterday, with reference to the enforcement

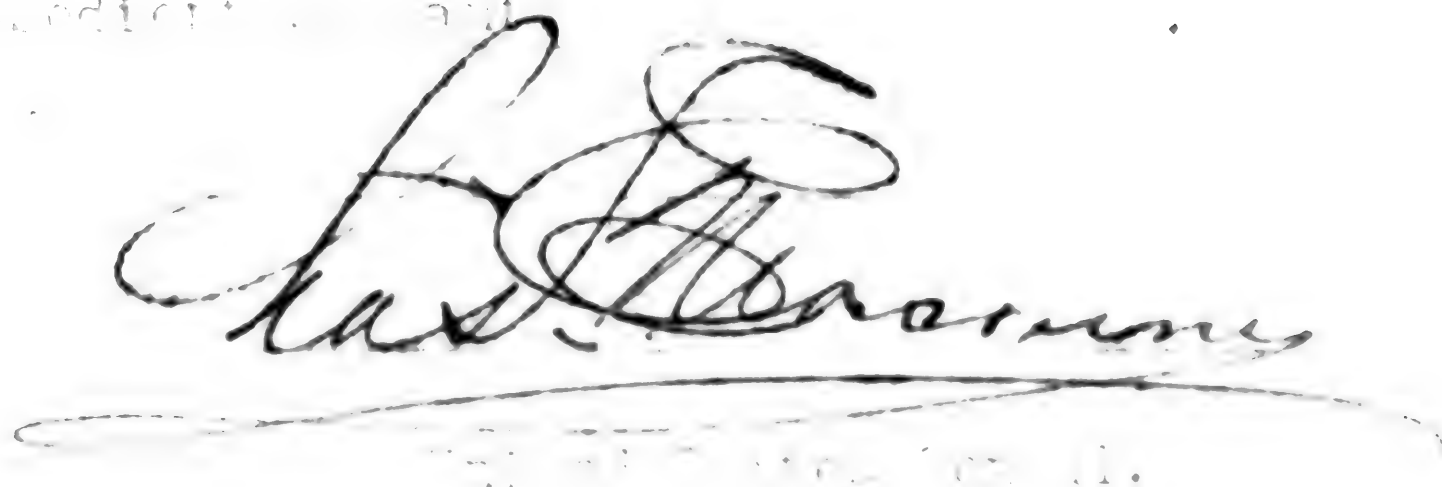
of the provisions of the military service law.

I am, Sir, very respectfully,

Yours very truly,

W. H. P.

W. H. P.

A handwritten signature in dark ink, appearing to read 'W. H. P.', with a long, horizontal flourish extending to the right.



No. 57.

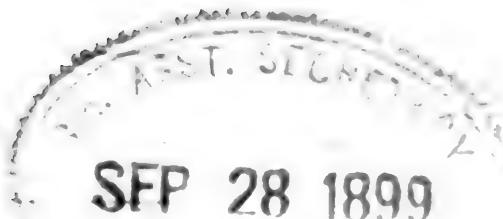
Consulate of the United States.

Pr. 10.12, F.A. 100, August 25, 1899.



Mr. Charles E. Macrum,

To the Department of State.



Subject.

Commandant-General's instructions on draftin.

Abstract of Contents.

I enclose copy of translation of Gen. Joubert's circular to  
Commandants, etc., re impressing aliens into military.

No.57.

Consulate of the United States,

Pretoria, S.A.R., August 23, 1899.

Hon. David . . .

Assistant Secretary of State.

Washington, U.S.A.

Sir:

I have the honour to transmit herewith a copy of the translation of a circular from the Commandant-General to Commandants, Fieldcornets and Assistant Fieldcornets in the Republic, on the subject of "commandeering", which has just been received from the Foreign Office, and which is of interest at this time, owing to the passage of Article 77 of the constitution of the Republic.

I may say that it was mainly through the efforts of Mr. Jermann, the German Consul, and myself that this circular was issued.

I am, Sir, very respectfully,

Sir,

Your obedient servant,

  
United States Consul.

Copy of translation of Commandant-General's circular.

SLATION)

C I R C U L A R

to

Commandants, Fieldcornets and Asst-Fieldcornets.

Office of the Commandant-General,

PRETORIA, August 24, 1899.

In consequence of certain complaints having come to the notice of the Government that British subjects or Englishmen have been commanded by certain officers and officials, or notified to hold themselves ready with horse, saddle and bridle, guns and ammunition, and that it had been given to merchants and dealers by some officials that their shops and places must be closed, and also that British subjects were forbidden by them to export, or sell for the purpose of export, horses, etc. I have hereby the honour to give you strict instructions and to urgently forbid you doing any act which might compromise us by bringing us into collision with any other power.

It must thus be understood that no single alien, no matter of what his nationality, who does not voluntarily offer, or has not offered his services, may be called up or commandeered in the event of any armed or undesirable disturbances or war.

Guard against everything that can do harm or provoke unrest, and be sure that you do not act contrary to the terms of this circular, or on further special instructions from the Government.

I have the honour to be,

Your obedient servant,

(signed) P. J. Joubert,

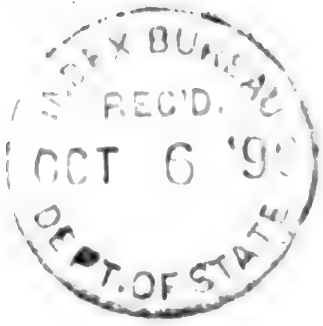
Commandant-General.

Sehatsky



No. 55.

Consulate of the United States,



Pretoria, S.A.R., Sept. 2, 1899.

*Antia  
Oct 12 '99*

Mr. Charles E. Macrum..

To the Department of State.

Subject.

Citizenship of a native of Manilla, P.I.

Abstract of Contents.

Acting Consular Agent asks regarding the citizenship of  
a native of Manilla.-- Request for a decision.



SOLICITOR'S OFFICE

OCT 9 1899

Consular Bureau :-

Acknowledge and say that while the treaty of peace between the United States and Spain, signed at Paris December 10, 1898, provides that "the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by "the Congress", the treaty is silent as to the status of natives of the ceded territory who <sup>are</sup> ~~were~~ not inhabitants thereof, at the date of the cession. Congress has not yet acted in pursuance of the treaty provision quoted, but the Department is of the opinion that the person referred to, who is described as "a native of Manila who has been in South Africa some twenty odd years", would in no event have any valid claim to American citizenship.

*JN*

Consulate of the United States,

Pretoria. S.A.R., Sept. 2, 1898.

David J. Will,

Assistant Secretary of State,

Washington, U.S.A.


I have the honour to inform you that Mr. Chapin,  
Consular Agent at Johannesburg, has submitted the  
following question: "I have been applied to by a native of  
S. A., who wants to know what his status is. He has  
been in this country some twenty odd years. Can you give  
me information on this point?" The man desires to know  
whether he can claim citizenship in the United States.

Will you kindly give me a decision on the point,  
so that I may be able to inform him.

I have the honour to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, likely belonging to David J. Will, the Assistant Secretary of State mentioned in the letter.

Respectfully,  
David J. Will



No. 59.

Consulate of the United States,

Pretoria, S.A.R., Sept. 9, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Confirmation of Cablegram.

**FILE**

Abstract of Contents.

I confirm cablegram sent this day, regarding the delivery of supplies of food contract by an American to the Transvaal Government, through the neutral port of Lourenço Marques, even in event of war.



5.50.

Consulate of the United States.

Pretoria, S.A.R., September 9, 1899.

Hon. David L. Hill,

Assistant Secretary of State,

Washington, U.S.A.


Sir:

I have the honour to inform you that I today sent the following cablegram: "01271 11071 05691 15577 with 10469 24155 14634 21850 09653 22278 06993 to 13122 11475 25333 10469 24111 20642 that 06787 02472 14058 22749 Delagoa 08634 11763 03991 23900 17077 03616 18462", which I now do firm. This message was paid for by the person contracting with the Government.

I could not give him the desired information, of course, and as he was willing to pay for the wire I thought it better to find out what your views were to a certainty, as it undoubtedly means the sending of large contracts to America, but the detention of the ammunition at Lourenço Marques makes the contractor desire assurance from his Government as to the insistance of delivery of these food supplies.

I have the honour to be, Sir,

Your obedient servant

  
United States Consul.

No. 60.



Consulate of the United States,

Pretoria, S.A.R., Sept. 9, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Rush for Passports.

*Sent on for  
Giovria Oct 23 '99*

Abstract of Contents.

Owing to the rush for passports I am compelled to have some blanks printed.-- Enclose requisition for supplies and copy of passport blank I had printed here.

No. 60.

Consulate of the United States,

Pretoria, S.A.R., Sept 9, 1899.

Hon. David C. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to inform you that there has been such a rush for passports here that I have been compelled to have some blanks printed, after having used all I could get from Mr. Hollis, at Lourenço Marques. I have issued 6 passports so far this month.

We are also compelled to type-write applications, and I enclose herewith requisition for these blanks and other necessities, which I trust will be filled with all possible despatch. I also enclose copy of the passport form I had printed.

I have the honour to be, Sir,

Your obedient servant,



United States Consul.

Enclosures:

Requisition for Supplies.

Copy of Passport Blank printed here.

CONSULATE  
OF

The United States of America,

... AT ...

Pretoria, South African Republic.

To all to whom these Presents shall come, Greeting:

No.

I, the undersigned, Consul of the United  
States of America, hereby request all whom it  
may concern to permit

Description:

Age Years

Stature Feet Inches Eng.

Forehead

Eyes

Nose

Mouth

Chin

Hair

Complexion

Face

a Citizen of the United States,

safely and freely to pass, and in case of need to give  
all lawful Aid and Protection.

Given under my hand and the Seal  
of the Consulate of the United  
States at Pretoria, S.A.R.,  
the day of  
in the year 1 and of the  
Independence of the United  
States the one hundred

Signature of the Bearer.

United States Consul.



Enclaves # 2  
in  
Dispatch # 60

No. 61.



Consulate of the United States,

Pretoria, S.A.R., Sept. 9, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Agricultural Reports.

Abstract of Contents.

I enclose request for Agricultural Reports.-- Probability that an Agricultural Department will be formed here.-- Impossibility of obtaining data to answer questions contained in Department circular of June 29, 1899, "Dairying in Foreign Countries".



No.61.

Consulate of the United States,

Pretoria, S.A.R., Sept. 9, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to transmit herewith a request of the Surveyor-General for the last annual report of the Department of Agriculture, which I have acknowledged and have told him that I had no doubt you would forward same to him through me. The idea is, I understand, to formulate some scheme for the establishment of an Agricultural Department in this Republic, as they have nothing of the kind here now.

In this connection I have the honour to say that I find it entirely impossible to obtain any data whatever in the latter of your circular of June 29, 1899, "Dairying in Foreign Countries", so that it is impossible for me to answer the inquiries therein contained. What shall I do with regard to these inquiries?

I have the honour to be, Sir,

Your obedient servant,



United States Consul.

Surveyor-General's request for Agri'l Reports.

No. 383 B/99

please name bovenstaand  
nummer te refereeren.



899

Landmeter - Generaalskantoor,

Pretoria, 9 Sept 1899

Den WelEd. Heer

— Maerum

USA Consul

WelEd. Heer.

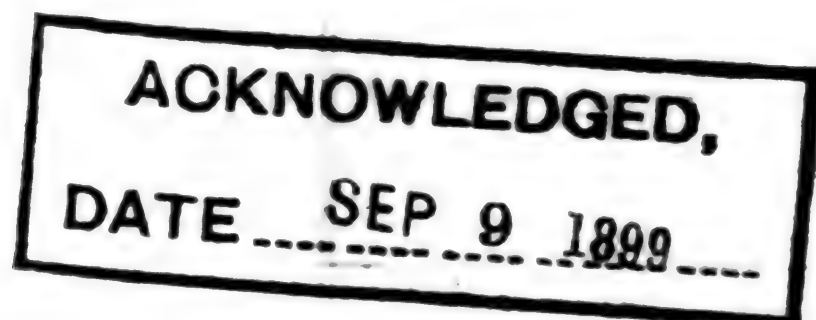
Pretoria

I shall feel greatly  
obliged if you could supply  
me with the last annual  
report of the Agricultural  
Department of U.S.A. or  
inform me how to obtain  
a copy.

Thanking you in anticipation

Your Obedt Servant

J. M. Briting  
for Surveyor General





Separated #61

TELEGRAM RECEIVED IN CIPHER.



*From* Pretoria, Sept, 9, 1899.

Secstate,

Washington,

*Confirmed  
Sept. 13, 99.*

American here contracting now with Government with  
million sterling food supply desire to know if Washington  
Government will see that delivery be made through Delegea  
even in case (war?). Please answer quick.

Macrum.

ered by Chief Clerk.

No. 62.



Consulate of the United States,

Pretoria, S.A.R., Sept. 13, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Request for Reports, etc.

Abstract of Contents.

I transmit a request of the Surveyor-General for reports.

*Cashed Agriculture  
Oct 23.  
Cashed & sent  
Oct 30.*

No. 62.

Consulate of the United States.

Pretoria, S.A.R., Sept. 13, 1899.

Hon. David J. Hill.

Assistant Secretary of State.

Washington, U.S.A.

Sir:

Referring to my despatch of the 9th inst. No. 61, I have the honour to transmit herewith a further request to the Surveyor-General for reports, etc., which I have told him I thought would be forwarded at once.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Request of Surveyor-General for reports, etc.



40013

99

naar bovenstaand  
of te refereeren.



Post

Landmeter - Generaalskantoor,

Pretoria, 12 Sept 1899

Den WelEd. Heer

Maerum  
Consul U.S.A.

WelEd. Heer.

Pretoria

Referring to my letter of  
Saturday's date and apolo-  
gizing for the trouble I am  
putting you to, could you  
be good enough to obtain  
for me with the last Annual  
Report of the Agricultural  
Dept. of the U.S.A. a copy  
of the report on irrigation  
and one of the reports on  
artesian wells and under-  
ground flow investigations  
as required by act of March  
3 1891.

RECEIVED  
13 SEP 1899  
S. CONSULATE,  
Pretoria, S. A. R.

ACKNOWLEDGED.  
DATE SEP 13 1899

Very respectfully  
H. B. Rutledge  
for Surveyor Genl.



100

No. 27.

Consulate of the United States.

Pretoria, S.A.E., Sept. 21, 1899.

Mr. Henry E. Macrum.

To the Department of State.



Direct.

Department of Consular Agent at Johannesburg.

Enclosed for the Department.

Enclosed for the Department's despatch No. 40. - Appointment

of the Agent at Johannesburg, to be made at Johannesburg.

Respectfully,  
Your obedient servant,

No. 38.

Consulate of the United States,

Pretoria, S.A.R., Sept. 21, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of the Department's despatch No. 40, of August 18, 1899, with enclosures, informing me of the appointment of Mr. William D. Gordon to be Consular Agent of the United States at Johannesburg.

This appointment will be extremely pleasing to the Americans in Johannesburg, particularly at this critical time, Mr. Gordon being a man of absolute integrity, and taking a great interest in the welfare of our colony.

I enclose herewith his "Application for Office" and "Oath of Allegiance and Office" duly executed.

The transfer of the office has been ordered and will be completed within a few days.

I have the honour to be,

Sir.

Your obedient servant,

A handwritten signature in dark ink, appearing to read "Louis Blumenthal", written in a cursive style with a horizontal line underneath.

United States Consul.

Enclosures:

Mr. Gordon's Application for Office.

Oath of Allegiance and Office.



*ack & file*



CONFIDENTIAL.

No. 64.

Consulate of the United States,

Pretoria, S.A.R., Sept. 23, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

The Situation in the South Afr. Republic.

*ack by from Oct 31/99*



Abstract of Contents.

I acknowledge the receipt of Department despatch No. 64.--  
one corrections for the Cape Town Consul-General's des-  
patch of July 25, 1899.-- Suggestions re protection of  
Americans and American interests here.

CONFIDENTIAL.

No. 64.

Consulate of the United States,

Pretoria, S.A.R., Sept. 23, 1899.

Hon. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of the Department's despatch No. 44, of August 25, 1899, with an enclosure in the way of a despatch from the Consul-General at Cape Town referring to the condition of affairs and the disaffection in this Republic and particularly in the city of Johannesburg.

Before going into detail on the subject of the worthy Colonel's despatch permit me to say that were I not aware of Colonel Stowe's knowledge of the true state of affairs somewhat limited, and that knowledge gathered almost entirely from his interviews with those who are responsible for the present state of affairs to a greater or less extent, I might be surprised at his contentions, but being perfectly aware of the true source of his information and reviewing my past correspondence with him and our conference at Bloemfontein, where I went to meet him and talk over the situation last Sunday, Aug. 17, I must admit that I could not but accept his despatch to be nothing else.

Taking up his despatch point by point as far as is possible I have the following statements to make by way of correction, and every statement I make I shall stand over absolutely and entirely correct.

1st. Boys of full burghers acquire the full franchise at the age of 16, Uitlanders can acquire the full franchise

including (please note) the right to vote for members of

(the

the First Raad, President and Commandant-General after a seven (7) years residence in the Country. If they arrive here as minors under the age of 16 they can obtain the FULL franchise on attaining majority.

2nd. The property, rent, or salary qualification only applies to naturalization. Once a person is naturalized and thereby obtains the franchise he does not lose the franchise by losing his qualification; neither need his children possess such qualification to enjoy the franchise on their attaining the age of sixteen.

3rd. The franchise law now in force is based on a seven years residence (not nine), which has been made retrospective to meet the case of uitlanders already settled in this country. The case of the Cape-Colony is entirely unlike that of the Transvaal for reasons which are self-apparent.

4th. The Boer acquires the franchise at sixteen, from which period he is liable to full military service, which service seems to be a vivid reality in this country, in view of the historic fact that since the inception of the Republic in 1841 five years has been the longest period of peace, and that but once. The child of the uitlander who becomes a burgher is in precisely the same position; the uitlander himself who arrives here before the age of sixteen can obtain a limited franchise (a vote for any office except the Upper Chamber, President and Commandant-General) at the age of 16 and the full franchise at the age of 21. As to representation, the Goldfields (Johannesburg), under the existing law will have six members in each Chamber of 12 members. As to population of Johannesburg, the proposition is not to represent by population but in proportion to the number of electors, and were precedents needed for the inequality of representation, or rather of population of districts represented, attention has only to be called to very many districts in England and Australia. So that it seems to me that Johannesburg's representation of six

(members

members in each Chamber is substantial.

As regards taxation the fact is that the direct taxation falling on each white inhabitant of the Republic is 18s 6d per annum; and it seems to me a self evident fact that the indirect taxation falls on the consumers, both Boer and Uitlander, in proportion to their numbers and their needs. The taxation (import duties) on the necessaries of life is seven and one-half per cent ad valorem, on mining machinery and implements one and one-half per cent. It should be borne in mind in this connection that the taxation on these articles in the neighboring States and Colonies is at least 50% higher. Neither should it be forgotten that the Uitlanders last year took nearly six million sterling clear profit out of the soil of the S.A.R.

The authorities here say that the building of the forts and the arming of the burghers is justified by the Jameson Raid, as well as the frequent native wars, of which they had one only last year, not to speak of the present situation. On this one point I have nothing whatever to say in comment, except that in my opinion there is no necessity for the forts, but on the other hand it is not absurd to say that they are a menace to the Uitlander contingent, such a notion being undoubtedly fostered, if not having been begotten, in the brain of the Uitlander agitator who realizes that his means to the end are not constitutional.

The Government has said to me officially and in writing that all foreigners of whatever nationality are exempt from military service, and the Commandant-General has issued a proclamation to his fieldcornets and other officers warning them not to commandeer (draft) aliens.

As to the allegation that the Uitlanders own three-fourths of the land, I have to refer to the report of the Minister of Deeds, in which I find that of the entire area of the State that has been surveyed burghers own



6851  $\frac{2}{3}$  farms (a farm is taken at 3000 morgen or about 6600 acres), uitlanders own 375  $\frac{7}{12}$  farms, corporations own 2124 farms (many of these corporations are made up of burghers), and the Government owns 2355  $\frac{3}{4}$  farms. It will be seen from this table that Col. Stowe's figures as to the ownership of land should be reversed, and then they would fall short of the facts.

As to the number of Americans at present enfranchised, I know of but few, two or three who came here years ago, and as I have reported to you before I have talked to many hundred Americans here since I came and since this "situation" has developed, and I have yet to find a man among them all who would take the franchise under any circumstances, and more than that, these miners, men at work in the mines, who are not paid by the agitators to howl about the "horrible state of affairs", have assured me that there are very few of any nationality who want the franchise or who will take it unless compelled to by their employers. All they want is to be let alone; they are making more money (i.e. earning more) than they ever did before in their lives, and all they want is for this condition to continue. They can't get up in public and say this, for their bread and butter, their very existence, depends on their "diplomatic silence".

We, then, who come in contact with the real uitlander, I have done many, many times since this unfortunate trouble has arisen, know full well the TRUE condition of affairs and what a wholesale tissue of falsehood has been persisted on the British public and the world through the medium of a paid press, while if the real facts were known and believed an astounding change of sentiment would be bound to occur.

You ask if the exemption of British from military service is a spontaneous grant of privilege or in fulfilment of a treaty with Great Britain. In reply I have to say that the exemption of British is by virtue of legislative (resolution

resolution, while most other nationalities are exempt by fulfillment of treaty, but the Government recognize the principles of international usage as exempting all aliens.

In conclusion I may say that I have no fear for the safety of the Americans and their property, even in the event of war, from the Boers, but we do have to fear the miscreant hangers-on and rough class that is omnipresent at times like these, and I have advised our people here, so far as was possible, to have inventories made of their property, and after proper verification to send them to me to file away in the office; a precaution which I think wise. This office has no safe, however, and I think one should be put in. They cost about £20 to £25 here for the necessary size. If you think it well to make such an investment, and I strongly recommend it, it would be well to cable authority on receipt of this despatch.

I see no urgent need to cable the Department on the situation as it is now, but I assure you that I sorely need some information re what protection we can give our people in case war should prove a reality, for food stuffs will in all probability be short and many may be entirely destitute of the bare necessities of life, and provision ought to be made for these people if possible. The United States can certainly feed them, their own people, since they were able to feed an alien people in Cuba. Therefore please that you cable me this information (if communication is still be had) and money, if necessary, to supply their wants. This, of course, only in event of hostilities.

I have the honour to be,

Sir,

-Your obedient servant,

  
United States Consul.

No. 65.



Consulate of the United States,

Pretoria, S.A.R., Sept. 27, 1899.

Mr. Charles E. Macrum,

To the Department of State,

Subject.

Pardon of Thomas Fitz.

*Please see what letter was  
given Mrs. Fitz  
Ack by form Nov 18/99*

Abstract of Contents.

Arrival of Mrs. Matilda Fitz, of Syracuse, N.Y.-- Her son's  
release ordered by the Executive Council this day, and he,  
arrive here not later than the 30th instant.

No. 9.

Consulate of the United States,

Pretoria, S.A.R., Sept. 27, 1899.

Hon. David A. Hill

Assistant Secretary of State.

Washington, U.S.A.

Sir:

I have the honour to inform you that Mrs. Matilda  
Hill of Syracuse, New York, arrived here on the 23rd  
instant, with a letter bearing your signature and asking  
me to interest myself on behalf of her son.

It gives me much pleasure to say that today an order  
has been issued by the Executive Council to release the  
son, who was sentenced to ten years imprisonment for the  
crime of robbery in October, 1897, and he will  
arrive here to meet and leave with his mother on Saturday  
September 30th at the latest.

~~I may say that the Executive Council has stretched~~  
point in granting this release, as the law requires the  
order to have the approval of the judge who tried the  
case, and the judge, Mr. Morrison, is now in Australia.

I trust my actions in the matter will meet with your  
approval. Mrs. Hill proposes to call on you on her return  
and present the details.

Very respectfully, Sir,

Wm. Hamilton Stewart.



United States Consul.



2  
No. 66.



Consulate of the United States,

Pretoria, S.A.R., Sept. 27, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Protection to Messrs. Fraser & Chalmers.

*Who asked for this*  
*Ans Nov 11-1899*

*✓ See instructions to*  
*Gaboria May 28*

Abstract of Contents.

acknowledge receipt of Department despatch No. 42.-- Messrs.  
Fraser & Chalmers, Ltd., of Johannesburg, is a London corpor-  
ation, and I am not aware what protection can be offered.

*11-12-1899*  
*1*

No. 65

Consulate of the United States,

Pretoria, S.A.R., Sept. 27, 1899.

on. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

I have the honour to acknowledge the receipt of your  
Despatch No. 42. of August 23, 1899, regarding protection  
the interests of Fraser & Chalmers, Ltd., of Johannesburg.

It is needless to say that I shall do everything in  
power, but I do not know if you are aware that the con-  
pany of Fraser & Chalmers, Ltd., of Johannesburg, is a Lor-  
dship Corporation, and I must admit that under these circum-  
stances I am not not exactly sure as to just what rights  
the United States they are entitled to. In this  
pressure I shall have to be governed to a great  
degree by my judgment.

With the honour to be,

Sir,

Your obedient servant,

A handwritten signature in cursive script, appearing to read "L. H. Bacon". The signature is written in dark ink and is positioned above a horizontal line.

United States Consul.

No. 67.



Consulate of the United States,

Pretoria, S.A.B., Sept. 28, 1899.

Mr. Charles E. Macrum,

To the Department of State,

Washington, U.S.A.

Subject.

Complaint of Joseph Geyram.

*Acknowledged by J. M.  
Nov. 9-1899.*

Abstract of Contents.

Forwarded receipt of Department's despatch No. 45.-- Mr.

seems to be satisfied with correction made on Field-

Nov. 9-1899.

*11/9/99 Pretoria*

5.97.

Consulate of the United States,

Preterria, S.A.R., Sept. 28, 1899.

Mr. David A. Hill,

Assistant Secretary of State.

Washington, U.S.A.

I have the honour to acknowledge the receipt of your  
letter No. 45, of August 20, 1899, referring to the com-  
plaint of Joseph Gezzam.

I have made no further report of this case, as I have  
no entry on the Fieldcornet's books to which Mr. Gezzam  
alludes, changed, and since then I have not heard from  
him, I presume he is now satisfied.

I have the honour to be,

Sir,

Your obedient servant.

  
United States Consul.



Consul

DEPT. OF STATE

OCT 12, 9.19 AM 1899

CHF. CL. OFFICE

TELEGRAM RECEIVED. 40 Words.  
Postal.

From Pretoria,

Oct. 11, 1899.

Received 1150 P.M.

Re State,

Washington.

martial	law	probable	proclaimed	today
14281	13370	17760	17782	
337	337	337	337	
13944	13033	17423	17445	
aliens	other	than	British	required
010890		22640	03398	19481
337		337	337	337
10752		2303	03061	19144
Countmand	certificate	of	Consue	showing
06011	04196		05603	21005
337	337		337	337
05674	03859	should	05266	20668
nationality	passport	South	de	Carried
15282	16397			03963
337	337			337
14945	16060			03626
what	from	certificate	shall	2
24024		04196	20857	11438
337		337	337	337
3687		03859	20520	11101
issue	Cable	definite	instructions	
12718	03646	06705	12367	
337	337	337	337	
12381	03309	06368	12030	
before	Communication	ceases	after	
	05050	04121		
	337	337		
	04713	03784		
that	Care			
22645	03915			
337	337			
2308	03578			

Hollis,

2.13. Subject Correction"

(Maurum)

deport  
06514

# TELEGRAM RECEIVED IN CIPHER.

*From* Pretoria, Oct. 11. 1899.

Received 11.50 P.M.

Secstate,

Washington,

Martial law probably proclaimed to-day. Aliens other than British required deposit certificate of Consul showing nationality. Passport should be carried. What form certificate shall I issue. Cable definite instructions before communication ceases, After that care (of) Hollis.

(Should be signed by) Macrum.

*Confirmed*

*Oct. 14, 1899*

Deciphered by Chief Clerk.

Oct. 12, 1899. , 189 , M.

No. 68.

Consulate of the United States,

Pretoria, S.A.R., Oct. 11, 1899.

Mr. Charles E. Maorum,

To the Department of State.

Subject.

Confirmation of Cablegram.

Abstract of Contents.

Confirming my Cablegram re Martial Law, Certificates  
for aliens, request for instructions, etc.

*File*

*11*

No.68.

Consulate of the United States,

Pretoria, S.A.R., Oct. 11, 1899.

Hon. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir:

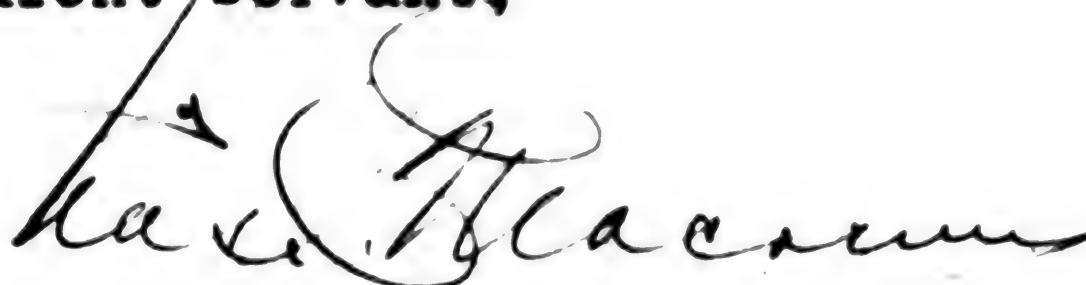
I have the honour to confirm the following cable which I have sent to the Department today:

Secstate, Washington. Martial Law probably proclaimed today. Aliens other than British required deposit certificate of Consul showing nationality, passports must be carried. What form certificate shall I issue? Cable definite instructions before communication ceases, after that care Hollis, Maorum.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in cursive script, appearing to read 'H. C. Maorum', written over a horizontal line.

United States Consul.



No. 69.

Consulate of the United States.

Pretoria, S.A.R., Oct. 12, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Confirmation of Cablegram.

*File*

Abstract of Contents.

I confirm cablegram re having accepted charge of  
British interests pending instructions.

No.69.

Consulate of the United States,

Pretoria, S.A.R., Oct. 12, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to confirm the following cable which I sent to the Department today:

"Seestate, Washington. Have accepted charge British interests in emergency, on request British Government through its agent, pending your confirmation." Maorum.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read 'L. J. Hill', written in a cursive style.

---

United States' Consul.

TELEGRAM SENT.

Received in Cape

File -

OCT 14 1899

Department of State,

Pretoria, October 13, 1899  
Washington, Recd 4:03 PM, 18

Sec State  
Washington

~~Confirmed~~

Have accepted charge British interests in  
emergency on request British Government through  
its agent, pending your confirmation.

Macrum.

Confirmed, Oct. 16 1899.

Confirmed, Oct. 16th, 1899.

=====

Sent

. 189

M.

, Operator.



No. 70.

Consulate of the United States,

Pretoria, S.A.R., Oct. 14, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Receipt of Telegrams.

*File*

Abstract of Contents.

I acknowledge the receipt of telegrams from the Department coming via Delagoa Bay.



No.70.

Consulate of the United States,  
Pretoria, S.A.R., Oct. 14, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of the following telegrams which have come via Delagoa Bay, care Mr. Hollis:

"From Washington. 12th. Macrum may certify fact of registration in Consulate upon production of passport or naturalization certificate, signed, Adeo."

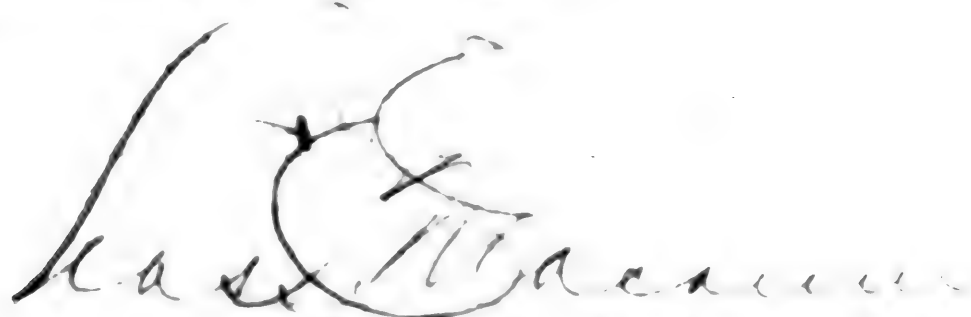
"Washington, thirteenth. Macrum Consul Pretoria care Hollis, Consul L. Marques. In view of withdrawal of British Agent from Pretoria and in response to request of British Government, you are authorized with the assent of South African Government, to afford to British interests in Transvaal friendly protective offices usual in such contingency, being careful to observe most absolute neutrality. Adeo, Acting Sec."

The S.A.R. Government refuses to acknowledge the existence of the British Agency, nor does it receive me in that capacity, but it has no objection to my looking after the British interests as is usual in these cases.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in cursive script, appearing to read "Macrum".

United States Consul.

No.71.

Consulate of the United States,

Pretoria, S.A.R., Oct. 16, 1899.

Mr. Charles E. Maorum,

To the Department of State.

2D ASSISTANT SECRETARY,

*Inform the parties who  
addressed the Dept.*

ck. by Number and File

DEC 11 1899

*ack*

Subject.

Admission of Dr. Loeser to practice.



*Acknowledged  
by form  
Dec. 13, 1899*

Abstract of Contents.

I acknowledge the receipt of Department despatch

No.50.-- Dr. Loeser has been admitted to practice.

No.71.

Consulate of the United States,  
Pretoria, S.A.R., Oct. 16, 1899.

Hon. David J. Hill,

Assistant Secretary of State.

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of your despatch No.50, of September 11, 1899, enclosing Certificate of the State of New York University, and report that Dr. Loeser was admitted to registration a few weeks prior to the receipt of these papers.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to be 'L. S. Thompson', written in a cursive style. The signature is positioned above a horizontal line that extends across the width of the signature.

United States Consul.



No. 72.

Consulate of the United States.

Pretoria, S.A.R., Oct. 18, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Appointment of Consular Agent at Johannesburg.

Abstract of Contents.

Transvaal State Secretary's reply to the Department's  
letter of credence of August 16, 1899.



No.72.

Consulate of the United States,

Pretoria, S.A.R., Oct. 18, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

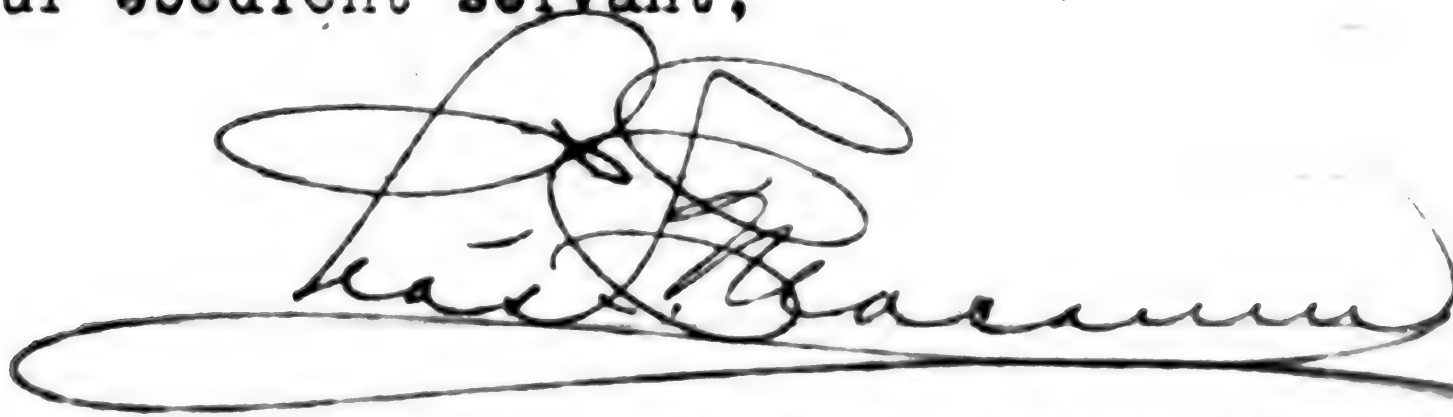
Sir:

Referring to your despatch No.40 of August 18, 1899, I have the honour to transmit herewith the reply of the State Secretary to the Department's letter of credence of August 16th, 1899, with official translation of same.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read 'L. S. Bassett', is written over a horizontal line. The signature is fluid and cursive.

United States Consul.

Enclosures as above.

AFDEELING A.

RA 408

189 9

B 3603

189 9

Believe bij eventueele referte  
dezen brief bovenstaande  
nummers aan te halen.



*Departement van Buitenlandsche Zaken.*  
*Gouvernements Kantoor.*

*Pretoria,* 17 October 1899.

Excellentie,

Ik heb de eer de ontvangst te erkennen van  
Uwer Excellentie's brief van den 16den Augustus 1899, met  
mededeeling dat de Heer William D. Gordon van Johannesburg  
aangesteld werd tot Consulaire Agent der Vereenigde Staten  
van Noord Amerika, gevestigd te Johannesburg.

Deze Regeering waardeert de vriendschappelyke gevoe -  
lens die Uw Gouvernement hebben bewogen deze aanstelling

" te "

Aan Zyne Excellentie

Secretaris van Staat.

WASHINGTON. Vereenigde Staten van Noord Amerika.

te doen en heeft volgaarne haar formeel exequatur, hem in  
zyne consulaire hoedanigheid erkennende, verleend.

Zy koestert de hoop dat deze aanstelling de vriend -  
schappelyke verhouding tusschen de respectieve landen zal  
bestendigen en versterken.

Gaarne maak ik van deze gelegenheid gebruik Uwe Excel-  
lentie de verzekering myner byzondere Hoogachting aan te  
bieden.

~~Uwe~~Excellentie's Dienstw. Dienaar.

A handwritten signature in black ink, appearing to read 'H. A. Ruyter', with a long horizontal flourish above it.

Staatssecretaris.

AFDEELING A.

RA 405

189 4

B 3601

189 9.



Believe bij eventueele referentie  
dezen brief bovenstaande  
nummers aan te halen.

*Departement van Buitenlandsche Zaken.  
Gouvernements Kantoor.*

*Pretoria,*

October 17th. 1899.

Translation.

Excellence,

I have the honour to acknowledge the receipt of  
Your letter of the 16th August 1899 enclosing a communica-  
tion to the effect that Mr. William D. Gordon of Johannesburg  
has been appointed Consular Agent of the United States of  
America to reside at Johannesburg.

This Government highly values the friendly feelings  
which have induced your Government to make this appointment

" and "

To His Excellency,

Secretary of State.

WASHINGTON. United States of America.

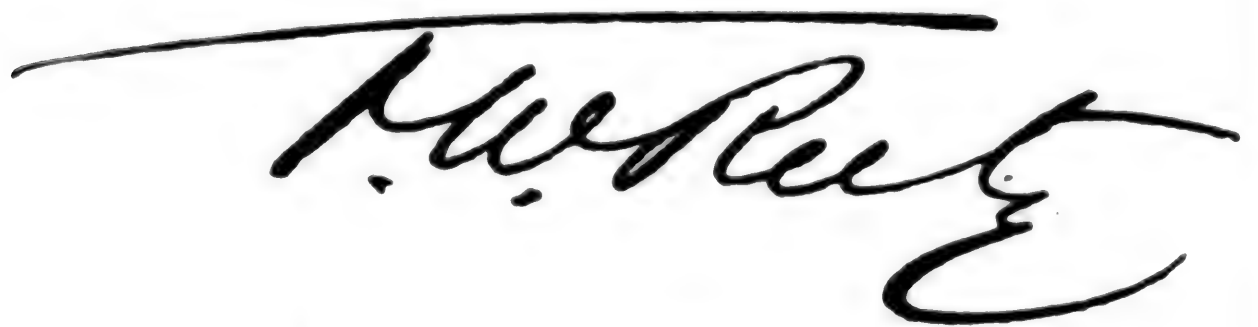


and had much pleasure in granting to Mr. Gordon the formal  
exequatur recognising him in his consular capacity.

They foster the hope that this appointment may consolidate and strengthen the friendly relations between the  
respective countries.

With satisfaction I avail myself of this occasion to  
offer Your Excellency the assurance of my most distinguished  
consideration.

Your most obedient servant.

A handwritten signature in dark ink, appearing to read 'H. W. R. E.', with a long horizontal flourish extending to the left.

Statesecretary.

*Ack & file*



*leg*  
No. 73.

Consulate of the United States,

Pretoria, S.A.R., October 19, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

English arming and drafting Natives.

Abstract of Contents.

I transmit translation of a letter from the Foreign Office which recounts the arming and drafting into service of natives by the British forces in the war against this Republic.

*Ack Dec 11/99*

*Secretary  
file  
1/10/00*

No. 73.

Consulates of the United States,

Pretoria, S.A.R., October 19, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

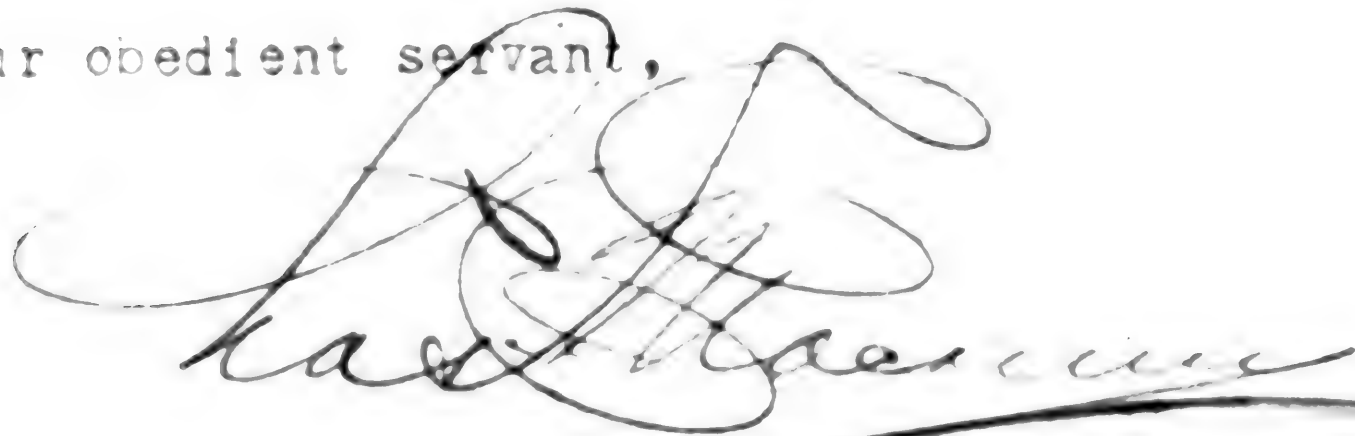
Sir:

I have the honour to transmit herewith the translation of a letter from the Foreign Office with reference to the arming and drafting into service by the English of natives in the war now in progress between this Republic and Great Britain, as I have been requested to do by the Government here.

I have the honour to be,

Sir,

Your obedient servant,

A large, stylized handwritten signature in dark ink, likely belonging to the United States Consul in Pretoria. The signature is written in a cursive style with many loops and flourishes.

United States Consul.

Enclosure.

Translation of Foreign Office letter.

(Translation)

Pretoria, S.A.R., October 18, 1899.

I have the honour to inform you that this Government is in receipt of reports from Commandant Botha that a fight took place last night at the fountain near Mafeking between the burgher commandos in camp there and some British troops from Mafeking strengthened by 100 natives. One of these natives was captured and taken prisoner.

From this and other reports from the eastern border of the Republic it will be seen that natives have been pressed into service by the British Government and this Government regards this arming of natives as a totally unjustifiable act against all the white races of South Africa.

This Government thinks such action an outrage, as all white races will suffer by it, and it trusts you will inform your Government of these facts.

I have the honour, etc.

(signed) H. C. ten Haaf.

for Under State Secretary for Foreign Affairs.



74.

DIPLOMATIC, SECRETARY  
DEC 7 1899  
DEC 8 1899  
DEPARTMENT OF STATE  
BUREAU.

Consulate of the United States,

Pretoria, S.A.R., October 23, 1899.

Mr. Charles E. Macrum,

To the Department of State.

To British Embassy  
Dec 9, 1899 W.

Subject:

Receipt of Cablegram re David Robertson.

File

*Abstract of Contents.*

I acknowledge receipt of cablegram via Lourenço Marques re request  
of British Government in case of David Robertson.

No. 74.

Consulate of the United States,

Pretoria, S.A.R., October 23, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

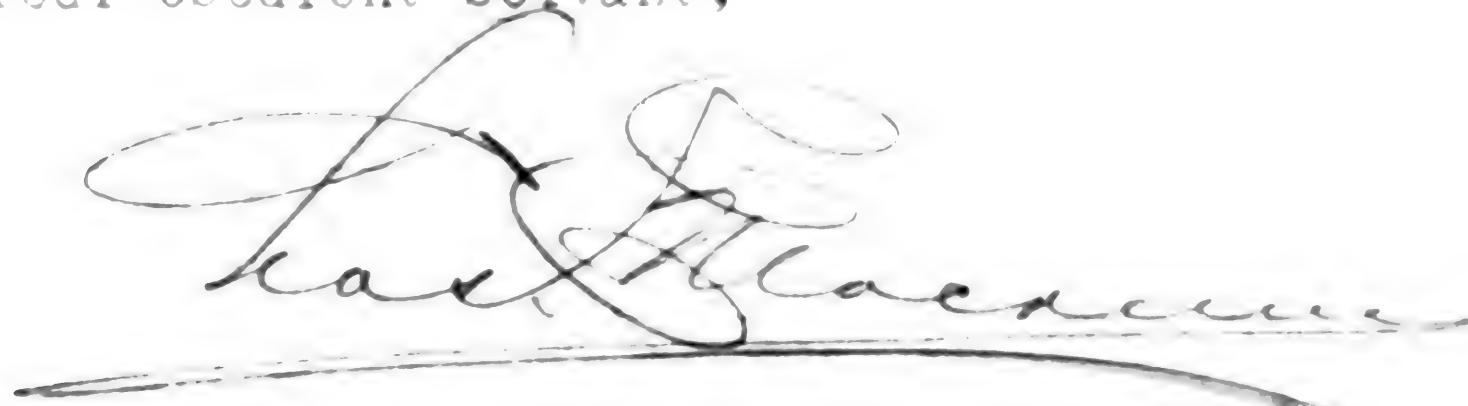
I have the honour to acknowledge the receipt of the following cablegram, forwarded to me from W.S. Hollis, U.S. Consul at Lourenço Marques, which came to hand to day, viz: "British Government request your attention (this word is undecipherable) David Robertson charged high treason watch proceedings endeavor secure fair trial report developments do all possible admissable."

This matter shall have prompt attention and a will be promptly forwarded.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in cursive script, appearing to read "L. S. Macnamara", written over a horizontal line.

United States Consul.

# TELEGRAM RECEIVED IN

*Part relate  
Easton Sept  
Mr. Easton Sept  
Ch. Easton Sept  
Mess. and quin*

*Confirmed Oct 28  
Oct 26.*

From PRETORIA,

October 25, 189

Received 1040 p.m.

Secretary State,  
Washington.

Report about Easton absolutely false. Spent  
week here now at front with Boer force. Says receiving  
best treatment ever had. Please make public. [Reports,  
English brutally shot down red cross people. Boer victo  
rious everywhere.]

MACRUM.

Received....9... o'clock. A.M.

Deciphered By

Wm. H. Michael, Chief Clerk.

9:30 o'clock A. M.....

Copies delivered to

*Secy  
Asst Sec  
2 " 9*

*To John H. Thom  
Oct. 31, 1899  
part re Hester*

Deciphered by *Chas. Clark*

, 189 , M.

No. 75.

*File.*



*Consulate of the United States,*

**Pretoria, S.A.R, October 25., 1899.**

*Mr. Charles E. Macrum,*

*To the Department of State.*

*Subject:*

**Confirmation of Cablegram to Department.**

*Abstract of Contents.*

I confirm cablegram of this date relating to the reported detention of Mr. Easton by the Free State Government, as reported by Department's cablegram received today.



No.75.

Consulate of the United States,

Preteria, S.A.R., Oct. 25, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

In reply to the Department's cablegram, which I have acknowledged in my No.74 of even date, I sent the following cablegram, which I now have the honour to confirm:

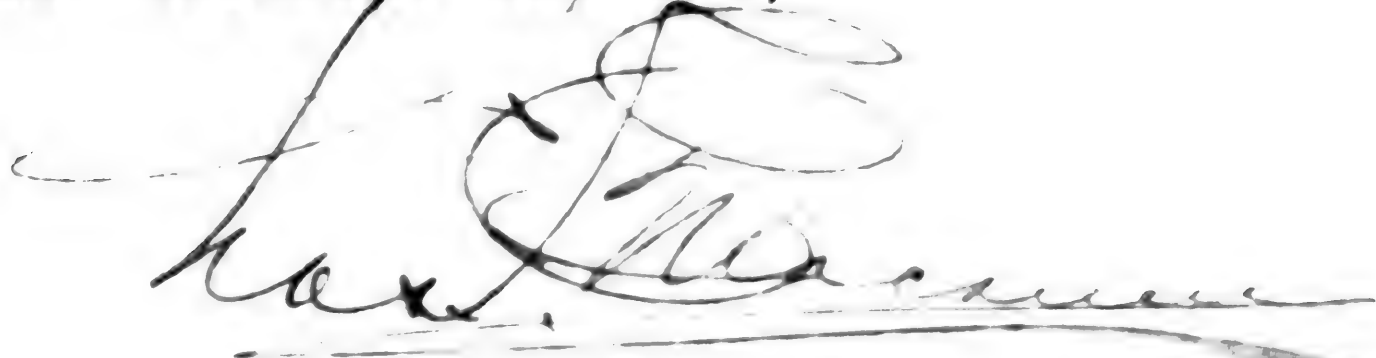
"Report about Easton absolutely false. Spent week here. Now at front with Beer force. Says receiving best treatment ever had. Please make public. Reported English brutally shot down red-cross people. Beer victorious everywhere."

I cannot imagine where the absurd report regarding Mr. Easton originated as he himself will testify to his most courteous treatment by both this and the Free State Governments.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to be 'L. B. ...', written over a horizontal line.

United States Consul.

No. 76.

*W. F. Miller*  
*10/27/99*



Consulate of the United States,

Pretoria, S.A.R., October 27, 1899.

Mr. Charles E. Maorum,

To the Department of State.

Subject:

Transmission of a letter from the S.A.R. Gov't.

*W. F. Miller*  
*Jan 6*  
*1900*

Abstract of Contents.

I transmit herewith a letter from the Transvaal Government referring to the arming of natives by the English in the war with this country.

No. 76.

Consulate of the United States,

Pretoria, S.A.R., Oct. 27, 1899 .

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honour to enclose herewith an official translation of a letter I have just received from the Foreign office, referring to the arming of natives by the English in the war against the Transvaal.

The Transvaal Government trusts that this communication will be given the consideration it merits.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosure:

communication from the S.A.R. Government.

AFDEELING A.

RA 5627.

1899

B 3638

1899



Believe bij eventueele referte  
dezen brief bovenstaande  
nummers aan te halen.

*Departement van Buitenlandsche Zaken.  
Gouvernements Kantoor.*

*Pretoria, 25th October, 1899.*

Sir,

With reference to my letter dated October 18th re arming Kaffirs against this Republic on behalf of the English Government, I have, by direction of His Honour the State President, the honour to bring to your notice that, up till now such arming of natives has occurred at four different places, viz. at Mafeking, Gaberones, Rhodes-Drift | on the Crocodile-River | and in Zambiansland and that

" burghers "

The Honourable

CHARLES E. MACRUM,

Consul of the United States of North-

America, P R E T O R I A.-



burghers of this Republic twice already (viz.  
at Mafeking and Rhodes-Drift / have been com-  
pelled to fight such armed natives, under comm-  
mand of British officers.

This Government will feel obliged by your communicating these facts to your Government.

I have the honour to be,

Sir,

**Your obedient servant**

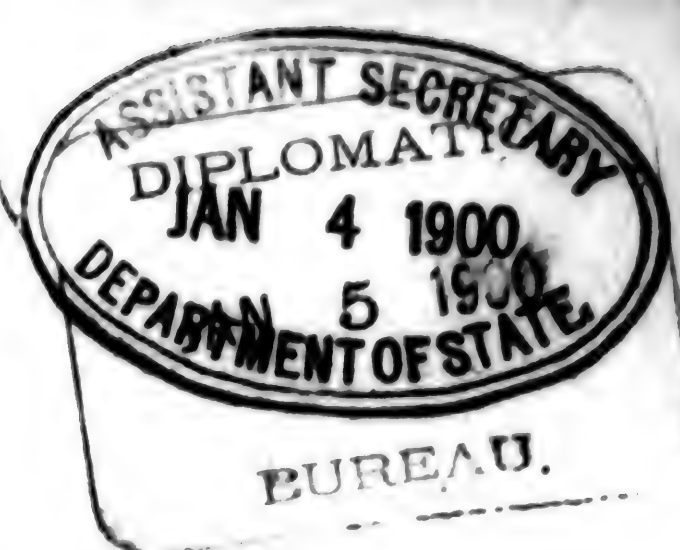
**for State Secretary**

H. C. Kenbaaf

**Acting Under State-Secretary**

foreign Affairs.-

No. 77.



Consulate of the United States,

Pretoria, S.A.R., October 27., 1899.

Mr. Charles E. Maorum,

To the Department of State.

Subject:

In re David Robertson, British.

*Feb. 9 Dec. 14, 1899  
from consul reports  
Robertson's release*

**Abstract of Contents.**

States Attorney has taken matter up.-- Man will have to stand trial.-- Two sworn affidavits that he is guilty of enlisting men for a British regiment.-- Authorities will be as lenient as possible under circumstances.

No. 77.

Consulate of the United States,

Pretoria, S.A.R., October 27, , 1899.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

In further report in the matter of the case of David Robertson, the subject of your cablegram of the 22nd inst., which I acknowledged in my No. 75, I have the honour to say that at my request the States Attorney has taken the matter up, and after a thorough examination of the records and papers in the case has informed me that the man will have to stand trial, as there is much evidence against him, among which he mentioned two sworn affidavits to the effect that the accused was guilty of enlisting men for an English regiment, but I gathered from what he said that he intended to deal as leniently with him as is possible under the circumstances.

Will you kindly communicate this information to the British Government.

I have the honour to be,

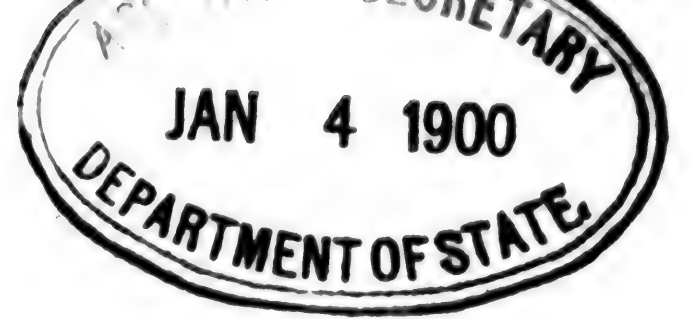
Sir,

Your obedient servant



United States Consul.

No. 78.



Consulate of the United States,

Pretoria, S.A.R., October 27, , 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject:

Cablegram re Boer wounded at Ladysmith.

*ackd by Mr. 5/99*

#### Abstract of Contents.

I acknowledge the receipt of cablegram containing statement of condition of Boer wounded at Ladysmith.-- This Government refuses to recognize anyone in any official capacity for the British Government, but have always given me hearty support in semi-official acts in the way of assistance to British subjects.



No. 78.

Consulate of the United States,

Pretoria, S.A.R., October 27, , 1899,

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honour to acknowledge the receipt of the following cablegram, which was received through Consul Hollis at Lourenco Marques, viz:

"Washington, twenty-sixth. Macrum, Consul, Pretoria. Inform Transvaal Government that British Government informs Department that Boer wounded are in charge of three Boer doctors in Dutch church at Ladysmith and that doctors satisfied with arrangements for care of wounded. HAY."

Upon the communication of this information to the State Secretary, that gentleman said, "We are glad to learn that the Boer wounded are well cared for at Ladysmith; but I desire you to say that we respectfully decline to regard the U.S. Consul as intermediary between the British Government and this." This has been the position of this Government since the first, i.e. to recognize no one in any official capacity for the British Government, although they have always given me hearty support in giving advice and assistance to British subjects.

Kindly communicate to British Government.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul

Translation.

*Handed in*

Pretoria October 26th. 1899.

~~Accepted~~ at Glencoe 4.30.a.m. here received 5.15.a.m.

From

To

Commdt. General.

Statesecretary Pretoria.

In consequence of facts brought to our notice and which are indisputable first viz:- that at the time of the attack on Vechtgeneraal Kock and his men at Elandslaagte troupers of the civilized English nation have fired their first cannon shot on the distinctly visible ambulance under the red cross - secondly that they attempted to murder one of the doctors who bore a visible red cross, and killed his horse whilst pointing their lances at him - Thirdly that they took 13 of our men captured with our provision waggons bound them in a row to a strong long rope drawn through the muzzle of a maxim and dragged them on after the maxim whilst dragging in forward, it being found out afterwards after the men bound to the rope were released by our commando, that two of them were wounded. - Fourthly that fugitives from Dundee marching under cover of the white flag, joined the forces and so fought the Freestaters. - Fifthly that an armour plated train went out under cover of a white flag to repair a broken down bridge. - Finally that attempts were made to enrol mounted Basuto's at the rate of 5/- a day to fight us as can be proved by us by written document now in our possession whereby the natives have been driven to arms against us.

I consider it highly necessary that this be brought to the notice of the civilized world, and that complaints be lodged under the Geneva Convention.

Not only are Dum-Dum bullets used against us but such things are also, as above mentioned, perpetrated against us contrary to all civilisation and such as we never did or would commit against any barbarian.

Pretoria 25th 1899.

Handed in at Glencoe 6.p.m. Received here 8.10 p.m.

From

To

Commdt. General.

Statesecretary. Pretoria.

Among the papers of fugitive Officers etc. copy was found of a telegram Ngutu by Magistrate Ngutu to G.O.C. Glencoe-Camp:

"Yours No. 103 apprehend no difficulties in getting Basuto's do  
" you want them to bring own horses if so I should say five shillings  
"a day be offered. Please reply at once." ends original will be kept.

RECEIVED  
27 OCT 1899  
U. S. CONSULATE,  
Pretoria, S. A. R.

No. 79.



Consulate of the United States,

Prateria, S.A.R., October 27, , 1899 . .

Secretary of State  
JAN 15 1900

Mr. Charles E. Macrum,

To the Department of State.

Subject:

Allegations of General Joubert.



### Abstract of Contents.

I confirm telegram sent to Consul Hollis at Lourenco Marques for transmission by mail to the Department re action of the British military authorities in the war now in progress in South Africa between the Transvaal and British Governments.



No. 79.

Consulate of the United States,

Pretoria, S.A.R., October 27, , 189 9.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

As the mail via the German East Coast Steamer had closed yesterday, and as the Government here had requested an early transmission to my Government of the enclosed message, I wired the contents to Consul Hollis at Lourenco Marques with the request that he forward same to the Department by mail, and I now have the honour to confirm same as per enclosure, which, as you will please note, is a message from Commandant-General Joubert to the State Secretary here.

This message and the allegations it contains have, I have been informed by the State Secretary, been thoroughly investigated before the same was presented to the Consuls, each of whom have agreed to transmit a copy thereof to their respective Governments.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul,

Enclosure:

Copy of Commandant-General's telegrams.



*Mr. Bailey*

2D ASSISTANT SECRETARY,

*Ack & file.*

*ack*

JAN 13 1900

Consulate of the United States,

Pretoria, S.A.R., November 7th, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject:

Confirmation of Cablegrams.

*Fin*

Abstract of Contents.

I confirm cablegrams received from and sent to Department of State re reports on condition of sick British prisoners.

No. 80.

Consulate of the United States,

Pretoria, S.A.R., November 7th, 1899 .

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honour to acknowledge the receipt of your cablegram as follows:

"Ask permission to despatch weekly telegram in plain language to American Consul, Capetown, for information British Commissioner reporting generally condition sick and wounded as distinguishable from British prisoners of war, also deaths, giving names and rank. Keep separate account expense of these telegrams, Hay."

Having seen the Secretary of State on the matter I will cable you in the morning:

"Sacstate, Washington. Transvaal Government refuses request for weekly despatch unless British will reciprocate. Claim have had no news from Boer prisoners. Macrum, Consul."

The Government seems to feel rather annoyed that Great Britain should make such a request in view of the reports received here, and said to be authentic, as to the treatment the Boer prisoners are receiving, but they say they are willing to give and take in the matter, and will grant the request provided they hear from the other side.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

CONSULAR BUREAU.

TELEGRAM RECEIVED.

From

Pretoria,

Nov. 8

1899

Received

10 52

M.

McC State.

Washington.

Transvaal Government

refuses request for Weekly  
despatch unless British  
will reciprocate. Claim  
have had no news from  
Boer prisoners.

(Not Signed.)

*en R*  
No.81.

*Mr. Bureau file*  
Consulate of the United States,  
Pretoria, S.A.R., November 8, 1899.

Mr. Charles E. Macrum,  
To the Department of State.



Subject.

Confirmation of Cables requesting leave of absence.

*File*

Abstract of Contents.

I confirm my cabled request for leave of absence with permission to visit the United States, also the Department's reply to same.



No.81.

Consulate of the United States,  
Pretoria, S.A.R., November 8, 1899.

Hon. David J. Hill,  
Assistant Secretary of State,  
Washington, U.S.A.

Sir:

I have the honour to confirm the following cable, which I sent you on the 6th instant:

"Request leave, permission visit America. Absolutely imperative private and official business. Ameringen fighting. Atterbury, American, takes charge. Cable quickly. Macrum Consul."

To this I have today had the following reply:

"Your presence Pretoria utmost importance to public interest. Hill."

As it is of the utmost importance that I go home, I have taken the liberty to cable again as follows, which I now beg to confirm:

"Cable received. Everything quiet. Atterbury capable experienced. My presence home absolutely necessary, Macrum Consul."

Aside from my private business that is calling me to America there are the most important matters to lay before you, matters of the most vital importance to all the American citizens in this country, as well as to the "Uitlanders" generally. I trust my last cable will meet with a more favourable reply.

I have the honour to be, Sir,

Your obedient servant,



United States Consul.

*Cons Bureau  
File*

No.82.

Consulate of the United States,

Pretoria, S.A.R.. November 9, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject.

Confirmations of cablegrams re Eng.prisoners.

*File*

Abstract of Contents.

I confirm Cablegrams received from Department dated the 6th and 8th instants, re condition of health and payment of money to certain British prisoners of war, and also confirm my cablegram in reply to same.

Office of the  
Third Assistant Secretary.

Dear Mr. May:

Do you desire a  
supplemental note sent  
to British Ambassador?

C. D. L.

Secretary of State.  
JAN 12 1900

No

JH

Very truly,  
J. C. L.

No.83.

Consulate of the United States,

Secretary of State  
JAN 15 1900

Pretoria, S.A.R., November 10, 1899.

Mr. Charles E. Macrum,

To the Department of State,



Subject.

*Ack Jan 16/1900*

Protest from the Orange Free State Gov't.

Abstract of Contents.

I transmit herewith copy of a telegram from Consular Agent at Bloemfontein detailing the misuse of the white and red-cross flags by the British troops.-- I have personally satisfied myself that the allegations are in the main correct.



COPY OF TELEGRAM.

Bloemfontein, Nov.10,1899. sent 2:10p.M. RECD.3:21.

From.	To
Elliott, U. S. Consul.	Maorum, U. S. Consul, Pretoria.

---

Orange Free State Government officially informed that flag of truce and red cross have been misused in battles by British troops round Ladysmith, Mafeking and Kimberly requests to convey its protest against such proceedings and ask co-operation of the different Governments to prevent further breaches of Geneva Convention and usages of civilized warfare. Will you cable Washington. Same forwarded by all representatives here. Protest and request received by me from Government forwarded to you by post Wednesday.

No.83.

Consulate of the United States,

Pretoria, S.A.R., November 10, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to transmit herewith copy of a telegram received from Mr. A. Elliott, U.S.Consular Agent at Bloemfontein, containing a protest from the Government of the Orange Free State regarding the misuse of the white and red-cross flags by the British troops.

In comment on the protest I may say that I have talked to a number of the Transvaal burghers, who have come back from the front wounded or on sick leave, for the purpose of satisfying myself as to the truth of these allegations, and in every instance they have corroborated the statements made in this protest as well as the one forwarded to the Department under cover of my despatch No.79, of October 27, 1899.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to be 'L. J. Hill', written over a horizontal line. The signature is fluid and cursive.

United States Consul.

Enclosure:

Copy of telegram from Elliott.

TELEGRAM RECEIVED.

42 Govt.

P.

From Pretoria,

November 10, 1899.

Received 11:26 PM.

SecState,

Washington.

Confidential (11/13/99)  
A. B. C.

Majors Capel Humphries both fine health.

State Secretary says all requests payment money officers  
also other inquiries regarding them must come through regular  
military channels at front. He will not further recognize  
me in any British official capacity.

Macrum,

Consul.



See letter to Brown  
as to Francis  
Capel leave  
March 16

42 Nov 1899

72  
No. 84.

*2 On Bureau*  
Consulate of the United States,

Pretoria, S.A.R., November 11, 1899.

Secretary of State.  
JAN 15 1900

SECRETARY  
JAN 13 1900

Mr. Charles E. Macrum,

To the Department of State.

Subject. *Ack Jan 16/1900*

Protest of Orange Free State.

Abstract of Contents.

I transmit a translation of a protest of the Orange Free State Government dealing with the misuse of the white and red-cross flags by the British troops.



Office of the State President  
Bloomfontein O. S.  
11<sup>th</sup> November 1899

The Hon  
A. Elliot  
Consular Agent of the United  
States of North America  
Bloomfontein

Honored Sir

It is with a feeling  
of deep indignation that I request  
your assistance in making known  
to your Hon Government the  
repeated reports received by this  
Government from the officers of our  
Citizen forces warning against the  
English troops in Natal, that on  
several occasions misuse is made  
by our enemies of the white flag.  
Armed troops marching under  
raised white flags have temporarily  
secured safety for themselves by  
against attack thereby, while they  
in reality are occupying a position

of advantage to themselves in  
the battle; so too for example  
English troops under cover of the  
white flag have joined larger  
forces of troops near Ladysmith, and  
have then immediately participated  
in the fight and assisted to  
attack our citizens.

On another occasion they  
have proceeded with a railway  
engine flying white flag to a  
bridge in order to repair the  
same for the purposes of war.

I have the honour to  
enclose herewith some other  
accounts of cases where such  
misuse of white flag has  
been made, the truth of which  
is fully confirmed.

I avail myself of this  
opportunity to most emphatically  
protest against the above-  
mentioned actions of the English  
troops involved and cherish the  
hope that your Hon. Govern-  
ment in consultation with others,  
will feel itself constrained to have  
a thorough enquiry instituted,

in order that these actions  
in conflict with the usage of  
civilized nations of some of the  
British troops may be put a  
stop to.

With great respect-

I have the honor to be

Your obed. servant-

(Sgt) E. F. Steyn

State President-



## Extracts

from wires confirming the fact that some of the British troops repeatedly made misuse of the peace flag (white flag).

- 1) Telegram from Head-Commandant van Rensburg to State President reading: "25 October Genl van Rooyen slightly wounded in the hand reports that the fight yesterday at Modderspruit between Elandslaagte and Ladysmith lasted from 8 o'clock in the morning until 4 o'clock in the afternoon."

x       x       x       x

"The troops which fled past with the white flag participated in the battle when they arrived at the Ladysmith contingent. Immediately before the fight commenced a steam steamed up with a white flag and began to repair the bridge burned down by Commandant Genl. When our guns were ordered to fire on the steam it took flight. It appears as if much misuse of the white flag is made."

- 2) Telegram from Chief Commandant



Permit me to state present reading.  
"Fighting General Crouse reports as follows:  
""The report about white flag is  
confirmed. A division of English accompanied  
the Red Cross contingent until they were  
in position and then commenced to  
fight. A small hut was occupied  
by the enemy under cover of the  
white flag, and when on the hill  
the enemy began to fire""  
x x x x

2 "Fighting Commandant De La Rey of  
the S.A.R. signals from Riverton  
Road" 4 November x x x x

Further it is also reported to me  
that the enemy force made use  
of a white flag in order to obtain  
a better position.

No.84.

Consulate of the United States,

Pretoria, S.A.R, November 11, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.,

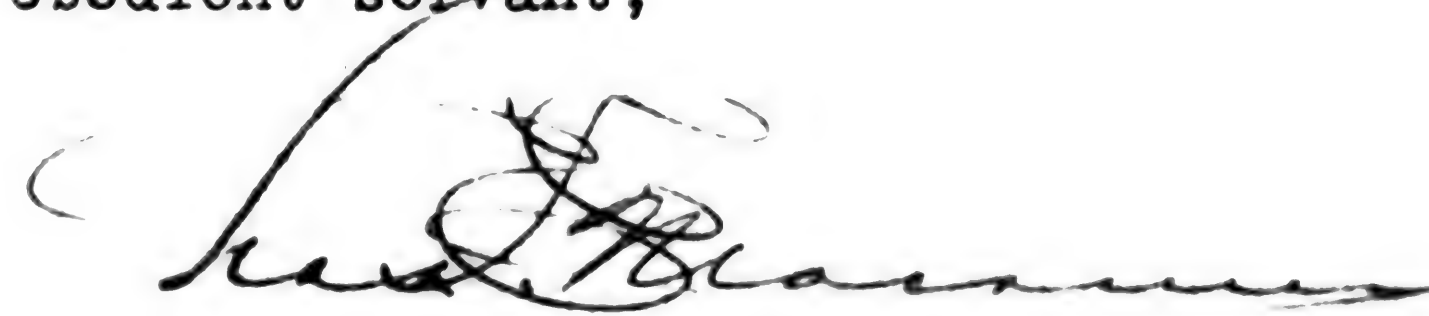
Sir:

Since writing my despatch of the 10th, No.83, I have received the full text of the protest made by President Steyn, of the Orange Free State, of which I herewith have the honout to transmit a translation.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read 'L. H. Blain', is written over a horizontal line.

United States Consul.

Enclosure:

Translation of protest of Orange Free State Government.

*Nov 7.99*  
**TELEGRAM RECEIVED IN CIPHER.**

*Assd*  
 ASSISTANT SECRETARY,

*From*

Pretoria,

Nov 7, 1899.

Recd. 6:44 a.m.

NOV 7 1899

Secretary State,

Washington, D.C.

Request leave permission visit America; absolutely  
 imperative; private and official business. Ameringen  
 fighting. <sup>At</sup>terbury, American, takes charge. Cable quickly.

(Not signed)

*Came plain "Ateringen"*

eciphered by

, 189 , M.

72  
No.85.

Ans Bureau  
File  
Consulate of the United States,  
Pretoria, S.A.R., November 11, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Leave of Absence.



Frid

Abstract of Contents.

I send further cabled request for leave of absence today.



# TELEGRAM RECEIVED IN CIPHER.

2D ASSISTANT SECRETARY,

NOV 13 1899

*From*

PRETORIA,

Nov. 12, 1899.

Recd. 2:55 p.m.

Secretary State,

Washington.

Cable received. Everything quiet. Atterbury  
capable, experienced. My presence home absolutely necessary.

eciphered by.

, 189 , M.

No. 86.

Consulate of the United States,

Pretoria, S.A.R., November 14, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject.

Leave of Absence.

*Fier*

Abstract of Contents.

Not being able to receive a response to my cablegrams I have sent another cable which I now confirm.

*7 - Ciph  
20 -  
Dec 2*

Office of the  
Third Assistant Secretary.

Dear Mr. May:  
Only that you may  
read it -

Cons. Bureau  
File under

No.86.

Consulate of the United States,

Pretoria, S.A.R., November 14, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to say that I cannot understand why I am unable to get a reply to my cable of the 11th inst. and have sent you today the following which I now confirm:

"Seostate,  
Washington,  
Can't leave without permission. Will  
forfeit post if Department don't approve on explanation.  
please reply.

Macrum, Consul."

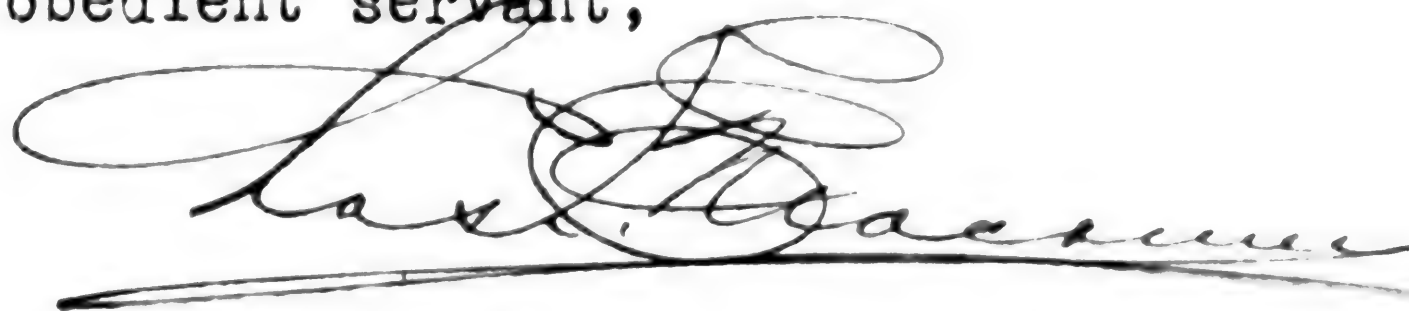
It is of the utmost importance to me as well as to the United States that I have leave, and the only explanation that I can arrive at is that the cables have been stopped by the censor at Durban or Capetown, as they have stopped a number of Consular cablegrams before for my colleagues for a week or two and then sent them on.

I can make the situation perfectly clear on my arrival in Washington.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.



*W*  
No. 87.

*Ant. Berneau*  
*file*  
Consulate of the United States,  
Pretoria, S.A.R., November 16, 1899.

Mr. Charles E. Maorum,  
To the Department of State,



Subject.  
Acknowledgement of mail.

*file*

Abstract of Contents.

I acknowledge the receipt of official mail from the Dep't and make suggestions as to the future transmission of the mails for South Central and East Africa.

No.87.

Consulate of the United States,

Pretoria, S.A.R., November 16, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of the following, which have just come to hand from the Cape. I must say that they have made a fearful mess of our mail there. There is no excuse for my not having gotten the Department three or four weeks ago if it had been properly attended to and forwarded immediately upon receipt by the authorities at Capetown:

Confirmation of cablegrams, Sept.13,1899.

Despatch No.51, September 15, 1899.

Despatch No.52, September 18, 1899.

Advice of supplies forwarded, September 20, 1899.

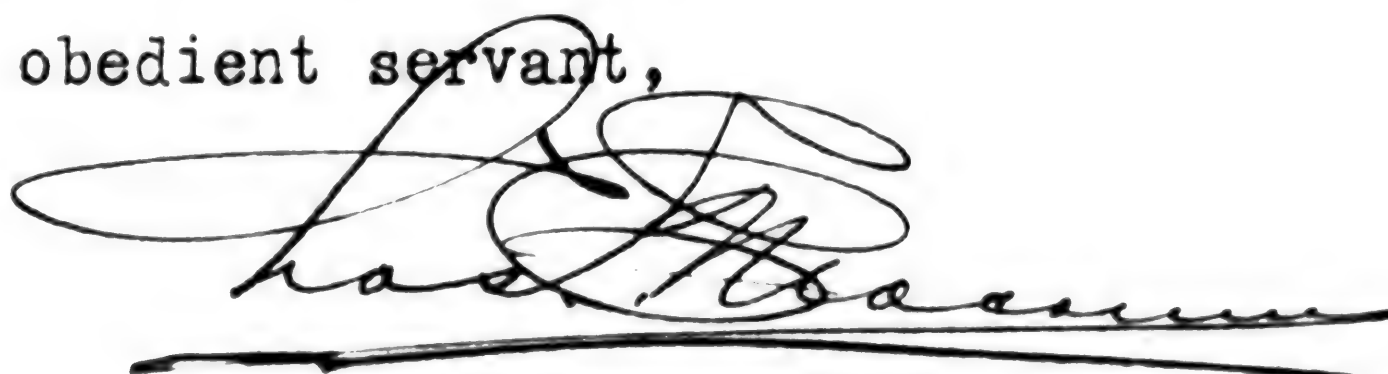
Despatch No.53, September 29, 1899.

Acknowledgement of my Desp.No.52, October 2, 1899.

It will be noticed that Sept.13 and Oct.2, both came on the same mail, which shows that they could have sent the mail at least three weeks earlier. No mail has, so far as I can learn, been received for private persons. Hence I think it would be wise to instruct the Post Office Dep't to forward all mail for the Transvaal, Orange Free State and Portuguese East Africa, via Berlin by the German trans-Atlantic lines and via "Deutsche Ost-Afrika Linie".

I have the honour to be, Sir,

Your obedient servant,



United States Consul.

*Cons Bureau  
File*

No.88.

Consulate of the United States,  
Pretoria, S.A.R., November 16, 1899.

Mr. Charles E. Macrum,  
To the Department of State.



Subject.  
Military Service in the Transvaal.

Abstract of Contents.

Answer to Department's despatch No.51 was contained in my  
despatch No.64, of September 23, 1899.

No.88.

Consulate of the United States,

Pretoria, S.A.R., November 16, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

Referring to your despatch No.51, of September 15, 1899, re the military clause of the "Grondwet" of the South African Republic passed by the Volksraad some time since, I have the honour to say that I think there is nothing further for me to say on the subject than the remarks in my despatch No.64, of September 23, 1899, which you had not received and which I think cover the ground.

I have the honour to be,

Sir,

Your obedient servant,

  
United States Consul.



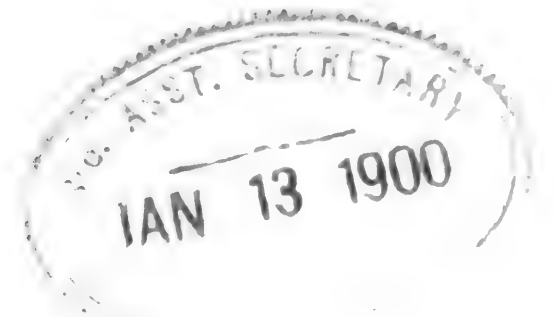
2  
M  
No.89.

~~171~~ Cons Bureau  
Consulate of the United States,

Pretoria, S.A.R., November 18, 1899.

Mr. Charles E. Macrum,

To the Department of State,



Subject.

Alleged misuse of the white flag by British.

*File*

Abstract of Contents.

I transmit herewith a translation of a sworn declaration of R.G.Nicholson alleging the misuse of the white flag by the British troops.

No.89.

Consulate of the United States,  
Pretoria, S.A.R., November 18, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:


I have the honour to transmit herewith a translation of a copy of a sworn declaration, made by one R. Granville Nicholson, a member of the troops of the South African Republic, which was sent to me by the Foreign Office here with the request that it be transmitted to my Government.

The Transvaal Government request that this communication be accorded such attention as it merits, and I have been informed that it has been sent to all the representatives of Foreign Governments residing here with the same request.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

Enclosure:

Translation of Sworn Declaration of R.G.Nicholson.

TRANSLATION.

Sworn Declaration.

Appeared before me, Adviser Sauer, North Head-Laager:

RICHARD GRANVILLE NICHOLSON,

who swears and says:

On Thursday, November 2nd, last, I was in the fight at Krimetaatkopje. I went with Commissioner du Preez to the rear of the enemy. When we came within 150 yards of the enemy they started firing. It was not long before they put up the white flag next to a wagon, whereupon Commissioner du Preez, who was ten yards to my right, asked in English, "What do you mean by the white flag?" and at the same time said to our color-bearer, "Let them see our flag".

I saw the white flag distinctly and went with Commissioner du Preez to assist him in English so that the parties could understand each other better. When Commandant du Preez spoke he stood up, as also private van der Merwe who was lying next to him. At once the enemy began firing, while the white flag was still flying, and Mr. v/d Merwe fell mortally wounded, and Mr. Bong, a German, who was trying to bring v/d Merwe out, was killed.

(signed) R. Granville Nicholson.

Declared before me:

(signed) H. B. Sauer,

Field Military Adviser,

Head Laager.

North Head Laager,

November 6, 1899.

2  
11  
~~No. 90.~~

*Cons. Bureau*  
*File*

Consulate of the United States,

Pretoria, S.A.R., November 18, 1899.

Mr. Charles E. Macrum,

To the Department of State,



Subject.

Confirming Cablegram requesting leave.

*File*

Abstract of Contents.

I have sent a further cablegram requesting leave, and I now confirm same.



No.90.

Consulate of the United States,  
Pretoria, S.A.R., November 18, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to inform you that not having any reply to my former cables I have this day sent you the following, in the hope that I may be able to get a favourable answer:

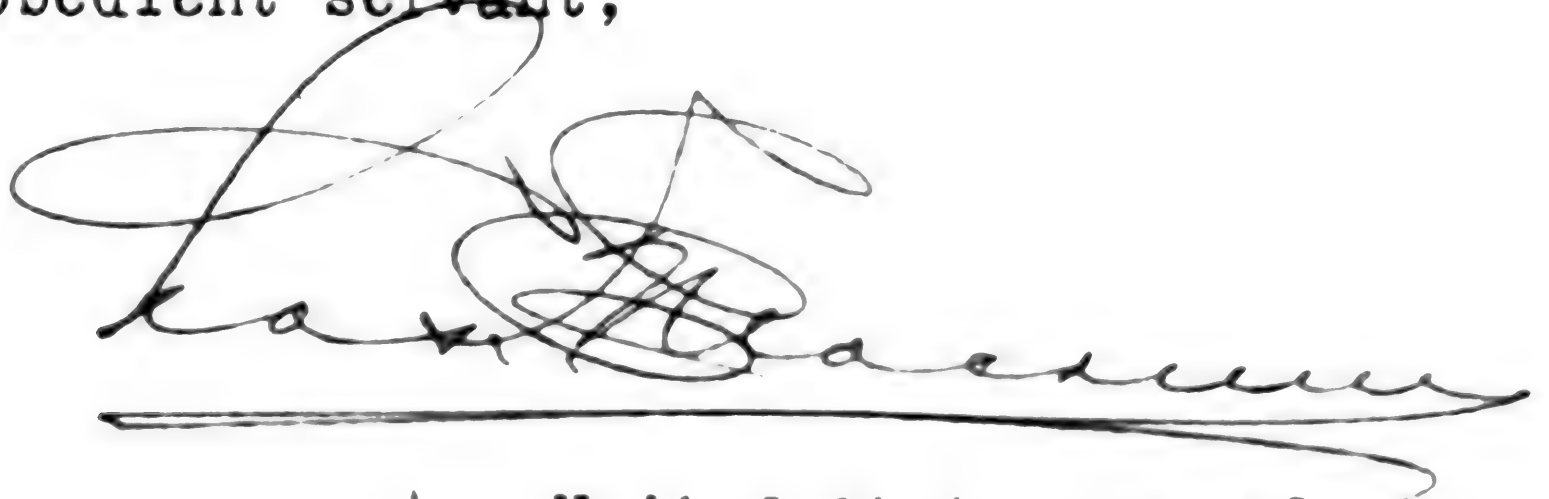
"Secstate,  
Washington,  
Three cables requesting leave unanswered.  
Substitute sufficient here but not at home. Please cable  
acquiescence quick. Ship sailing soon.  
Macrum, Consul."

This I now have the honour to confirm, and as the business which takes me home is of the most vital importance I earnestly hope to have a favourable answer.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read 'David Macrum', with a horizontal line drawn underneath it.

United States Consul.

# TELEGRAM RECEIVED IN CIPHER.

*From* Pretoria,

November 19, 1899.

Recd. 11:23 A.M.

Secretary State  
Washington.

Three cables requesting leave unanswered.

Substitute sufficient here but not home. Please cable

acquiescing. *Quick;* Ship sailing soon.

Deciphered by

, 189 , M.

*h*  
No.91.

*Cons Bureau*  
Consulate of the United States,

Pretoria, S.A.R., November 20, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject.

Detention of the Mails.

*File*

Abstract of Contents.

On account of the detention of the mails at Capetown, I have requested Mr. Hollis to cable the Department in our joint names asking immediate attention.-- This is an important matter to the many American citizens here and necessitates a cable.

No.91.

Consulate of the United States,

Pretoria, S.A.R., November 20, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:


I have the honour to inform you that I have been in communication with Mr. Hollis, Consul at Lourenco Marques, regarding the detention of our mails and that of all the American citizens in the Transvaal and Portuguese East Africa by the Cape Colony authorities, a most annoying and uncalled for action, and I have asked Mr. Hollis to cable the department in my name as well as in his own protesting against this arbitrary delaying of the mails.

This is a matter which needed immediate attention, as there are nearly a thousand American citizens here who believe they have a right to their mails when there is one port which they can come in at, and hence the necessity for cabling with reference to the matter.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read 'L. S. Blainey', is written over a horizontal line. The signature is fluid and cursive.

United States Consul.



2  
No.92.

Ans. Bureau  
file  
Consulate of the United States,

Pretoria, S.A.R., November 22, 1899.

Mr. Charles E. Macrum,

To the Department of State,



Subject.

Confirmation of Cablegram.

file

Abstract of Contents.

I acknowledge receipt of Departments cablegram refusing me leave of absence.-- Matters that I could have presented better in person than by despatch.

No.92.

Consulate of the United States,

Pretoria, S.A.R., November 22, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of the Department's cablegram as follows:

"Macrum, Pretoria.  
Your presence Pretoria important to public interests.  
Hay."

I very much regret that you have seen fit to refuse my application for leave of absence, as, aside from the imperative private business that was calling me home, I would have been able, in a personal talk with you, to have cleared up many matters which I do not think you are aware of in the situation as it presents itself here. In the matter of the action the British Government has taken with regard to the unloading of vessels of several neutral nations at the British Cape ports, relieving them of their cargoes, no matter to whom consigned in the Transvaal and Orange Free State, the Americans here are becoming extremely nervous as to whether they will have to starve or not, the present prices are all but prohibitive. There are other matters of intense public interest that I hoped to be able to lay before you personally, but will have to present them in the form of despatches when the opportunity arises.

I have the honour to be, Sir,

Your obedient servant,

  
United States Consul.

*Handwritten signature/initials*

*Ans Bureau*

No.93.

Consulate of the United States,

Pretoria, S.A.R., November 23, 1899.

Mr. Charles E. Macrum,

To the Department of State,



Subject.

Police duty in the Transvaal.

*Ans Jan 16/1900*

Abstract of Contents.

I have received a communication from the Transvaal Government in which they claim the right to impress aliens into the police service of the State.-- Copy of translation is transmitted herewith.-- I have taken exception to their views in my reply.-- Copy of reply herewith.

Office of the  
Third Assistant Secretary.

Dear Mr. Secretary:

You may care to read Mr. Macrum's No. 93 of Nov. 23, touching police duty in the Transvaal by American citizens.

Mr. Macrum's despatch may be acknowledged with approval. I find that our instruction No. 2 of Dec. 4, gave full instructions to the Consul upon the subject of the impressment of our citizens for military purposes. It strongly *protested* against their impressment and the Consul was directed to report any attempt in that direction.

Aides

*W. C. C. C.*

*A. K. M. A.*



No.93.

Consulate of the United States,

Pretoria, S.A.R., November 23, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to present to your notice a claim which the Government of this Republic makes with regard to the impressment of aliens into the police, which they have brought to my notice in a communication dated the 16th inst., a copy of the translation of which I herewith transmit.

The authorities I have at hand do not through much light on the matter, but so far as I have been able to find in my research they do ~~not~~ agree with the claim of the Government, and as a consequence I have replied to the Government's letter as per copy herewith.

As I say in my reply, I have uniformly asked the citizens of the United States, when they have received notice to report for duty and have referred the matter to me, to perform the duty, as it was a matter that in no way infringed their neutrality and was for the protection of the property of all residents, but I have not agreed, so far as I have been given to see the matter, that the Government had the ~~power~~ to force them against their wills to enroll themselves.

Have I taken the proper steps?

I have the honour to be,

Sir,

Your obedient servant.

  
United States Consul.

Enclosure:

Letter of Mr. Reitz, State Secretary,

My letter in reply.

TRANSLATION.)

DEPARTMENT OF FOREIGN AFFAIRS,  
GOVERNMENT OFFICES.

PRETORIA, November 16, 1899.

Sir:

Permit me to draw your attention to the fact that some of the Consuls have a doubt whether subjects of a neutral State can be enforced, according to International law, to perform police duty.

This Government has, in this respect, consulted the Attorney-General, who is of the opinion that without doubt, according to international law, this Government is entitled to require police duty from subjects of foreign neutral powers.

The opinion expressed by a few of the consuls and, as this Government was informed, shared by all the others, viz: that this Government has no right to commandeer neutral foreigners as long as the British troops are outside this Republic, is according to the humble but decided opinion of the Attorney-General, in conflict with the principles and practice of international law. So, for instance, the British Government instructed her ministers in Washington, at the time of the civil war in the United States that there is not a principle or rule of international law which prohibits the Government of any country from requiring aliens, resident within its territories, to serve in the militia or police of the country or to contribute to the support of such establishment."

The Attorney-General further advises this Government that, though there exists a difference of opinion among the authors on international law as to what extent foreigners may be forced to take part in actual warfare, there exists no doubt as to their being subjected to the performance of police service. So, for instance Hall puts it (Int.Law, page 217), saying:

"Aliens may be compelled to help to maintain social order, provided that the action required of them does not overstep the limits of police, as distinguished from political action."

With this the school of Bluntschli, par.391, and the most authentic authors are in accord.

The Government, sharing the view of the Attorney-General, wishes to acquaint you with this fact, requesting you, politely, to instruct the subjects of your State on these points, and to explain to them that they are obliged, if asked, to perform police duty, even if their country remains neutral.

Thanking you in anticipation, it affords me pleasure to offer you the assurance of my particular consideration.

Your obedient servant,

((signed)) F. W. REITZ.

State Secretary.

Mr. Charles E. Macrum,

Consul of the United States of America,

P R E T O R I A .



November 23, 1899.

Sir:

I have the honour to acknowledge the receipt of your unnumbered note of the 16th instant, re the right of your Honourable Government to impress in the police service of the Republic the citizens and subjects of foreign neutral powers.

I have noted the authority the Attorney-General quotes which refers to the instructions the British Government gave to its minister in Washington during the civil war in America, but have found in addition in Halleck (Int.Law, Baker's Edition, 2nd 6) that

"At the abovementioned date (1861) the British Government intimated that, if the United States permitted no alternative of providing substitutes, the position of British subjects to be embodied in that militia 'would call for every exertion being made in their favor on the part of Her Majesty's Government.'"

The same authority further says, in the same connection, that

"The British Government, in 1862, informed Mr. Stuart that as a general principle of international law aliens ought not to be compelled to perform any military service (i.e. working in trenches), but that allowance might be made for the conduct of authorities in cities under martial law, and in daily peril of the enemy."

It would seem from the above, therefore, that the peril

is Honourable,

The State Secretary,

P E T O R I A .

from the enemy must be imminent, and that the necessity be great to justify the impressing either in the police of the state or the militia the citizens or subjects of foreign neutral states.

But more directly is the present condition reviewed in 11 (Int.Law, pr.61) and Bluntschli (Droit Int. Modifié, par. 1), who use the following language:

"Foreigners, domiciled or not, cannot be enrolled in active military service of any kind without their own consent. They may be compelled to help to increase, in time of necessity, the police force, in maintaining social order at the place of their residence, with a view to public safety, also to take up arms to help in the defence of their place of residence against the invasion of savages, pirates, &c., as the means of warding off some great general calamity which all suffer indiscriminately, but in neither case to be used directly or indirectly for ordinary national political objects."

From this it is clearly shown that aliens may assist in the maintenance of law and order, but cannot be used against their wills "directly or indirectly for ordinary national or political objects", which the enrollment of the aliens clearly is, as it permits the use of the regular army in the fighting line at the front.

I am glad that this matter has been brought up, as I have no objections having been raised to the enrollment by the representatives of the powers, and I have not nor will I have any objection unless our citizens object, but I have once requested our citizens to serve as I thought in duty for the protection of their property. Since the matter has been raised, however, I beg to humbly present

With great honour to be, Sir,

Your obedient servant,



*Cons Bureau*

No.---

Consulate of the United States,  
Pretoria, S.A.R., November 28, 1899.



Mr. Charles E. Macrum,

To the Department of State.



Subject.  
Receipt of Mail.

*To Cape Town  
Jan 24  
1900*

Abstract of Contents.

I acknowledge the receipt of mail from Department.--  
My private mail detained at Capetown or somewhere in the  
Cape Colony.-- Request that instructions be sent to the  
Consul-General to have mail forwarded.

No.---

Consulate of the United States,  
Pretoria, S.A.R., November 28, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt  
of the following:

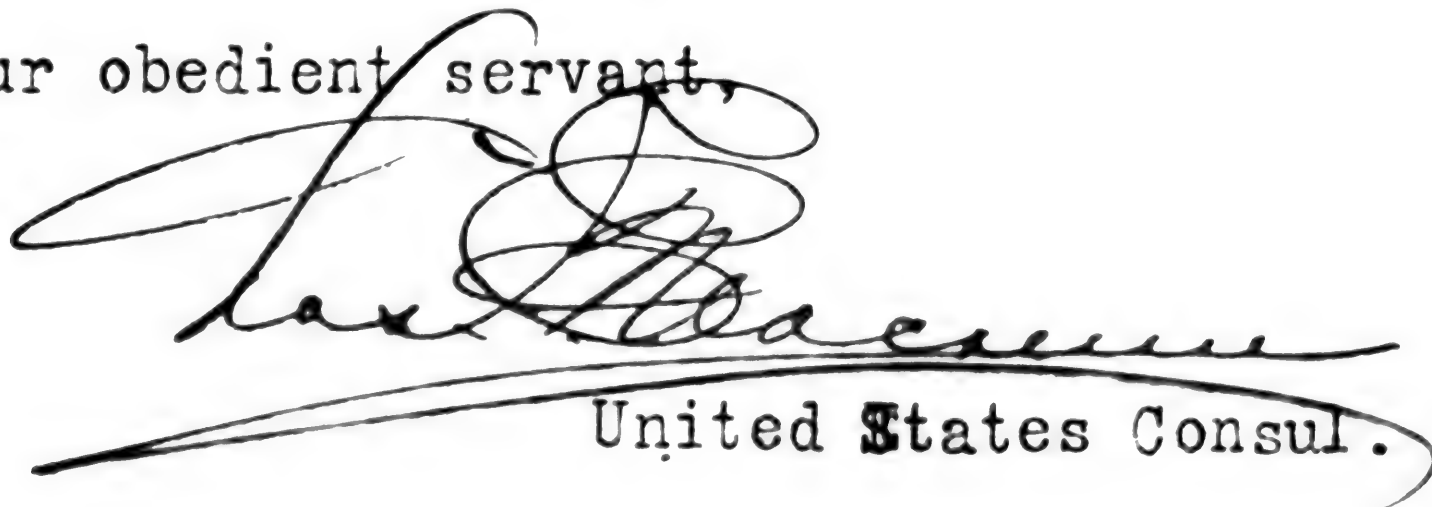
Department despatch No.54, referring to the status  
of a native of the Philippines, Oct.12, 1899.  
Confirmation my telegram of Oct11th, Oct.14, 1899.  
Confirmation my telegram of Oct.13th, Oct.16,1899.

These letters seem to have come through in  
better time, not having been stopped at the Cape.

All my private mail since the war has opened.  
however, has not come to hand yet, and I believe it has  
been stopped and is lying at Capetown. This, it seems  
to me is a rather arbitrary proceeding on the part of  
the postal authorities, and I have written Col. Stowe  
a number of times to try to obtain it for me. I have  
been informed that the French and some of the other  
Consuls at the Cape have been able to get and forward  
all mail for their countrymen. Would it be possible for  
you to issue specific instructions to Col.Stowe regard-  
ing forwarding all American mail lying there. He informs  
me that he has forwarded all mail, but I think he means  
my Department mail, for none other, of whatever kind,  
has arrived in this country, American mail meant.

I have the honour to be, Sir,

Your obedient servant,



United States Consul.

*Ans. Bureau*  
*File*

No. 94.

Consulate of the United States,

Pretoria, S.A.R., November 30, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject.

Native outrages in the S.A.R.

Abstract of Contents.

I enclose letter from the State Secretary, also a telegram from the northern frontier, detailing the outrages of the natives, who are said to be officered by British officers and who have in their possession a Maxim gun.

No.94.

Consulate of the United States,

Pretoria, S.A.R., November 30, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

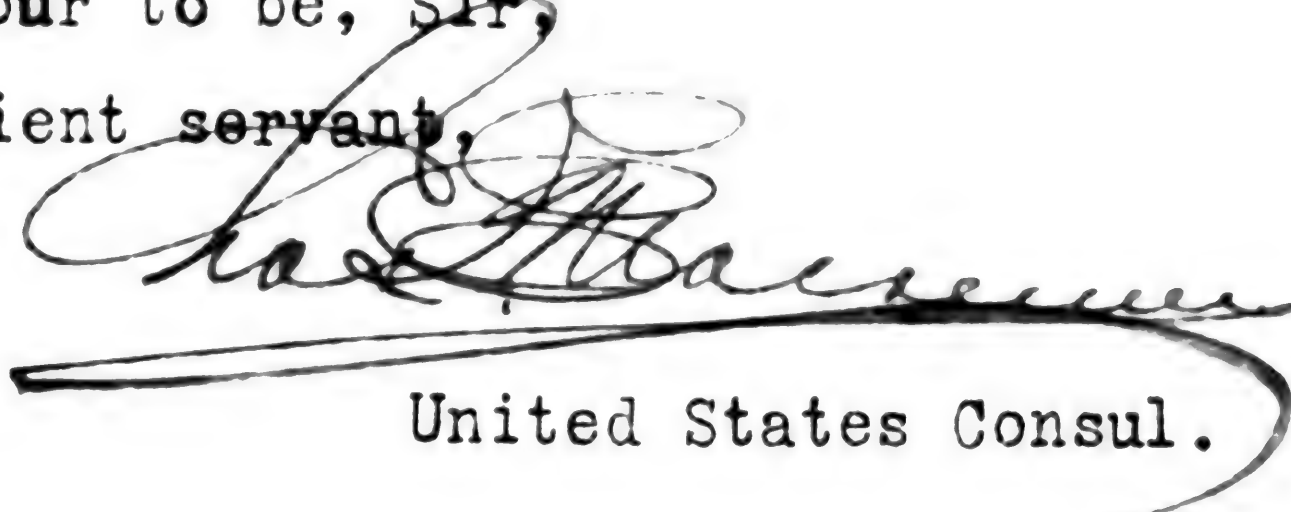
I have the honour to inform you that I have received from the State Secretary, Mr. Reitz, a communication referring to the outbreak of natives in the northern part of the country, which natives are said to have been led and officered by British army officers and to have used a Maxim gun, and I enclose a copy of the translation of the letter together with a translation of the telegram which accompanied it.

If these allegations are true, and they seem to be well authenticated, it will possibly prove a great menace not only to the property but to the lives of the non-combatants residing in this State. The man Early here spoken of in the telegram was a British subject remaining in the country by virtue of a Government permit.

I have already cabled this to the High Commissioner through the British Consul at Lourenco Marques and trust that the Department will take steps to show to Great Britain the danger in which we will all be placed.

I have the honour to be, Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to read "L. B. Baer", is written over a horizontal line. The signature is fluid and cursive.

United States Consul.

Enclosures:

Translation of State Secretary's letter.

Translation of telegram he enclosed.



transpation.

Department of Foreign Affairs.

Pretoria. 29th. Nov. 1899.

Sir,

I have the honour to enclose copy of two telegrams from the Landdrost of Rustenburg dated 26th of November last, containing report of a battle having been fought in the neighbourhood of Derdepoort on the 25th.

From the telegrams it appears that again English Officers have incited and lead on kaffirs to fight our burghers, with the fatal consequence that besides some of our burghers but a woman also was murdered. You are aware of the fait that kaffirs, once incited to murdering whites, do not make any distinction in nationality and that thus the British Government, by either direction or approving of proceedings as above mentioned, endanger the lives, family and property of all inhabitants of this Republic of whatever nationality they may be, even of its own subjects who have been allowed to remain in this Republic, as ~~has~~ is evident from the fact of the murdering of the photographer EARLY a peaceful British subject, who fell a victim to barbaric allies of his own Government.

With a view to the danger menacing the numbrous subjects of the country represented by You, and residing in this country, I feel obliged to request You to submit this report to the attention of Your Government to enable it to take such measures as it may think fit necessary in the interest of its subjects and to protest against proceedings of a belligerent power contrary to the laws of civilization and humanity.

I have the honour to be

Sir

yours obedient servant,

( signed. ) F. W. REITZ.

Statsecretary.

Copy. -

Telegraph Department. S.A.R. 26.11.99. -

5.30.p.m. - Received following telegrams from Landdrost Rustenburg:

1). - To Government Pretoria ( begins ): by wheelrider I have just received following report ( begins ): Derdepoort 25.11.99. Landdrost Rustenburg were attacked to day at daybreak, still fighting. Some wounded, unknown how many, also some killed, unknown how many. Jan Barnard M.F.V. killed. Send assistance and send a Dokter immediately. Our Dokter is gone. Assistance urgently required. Help speedily with reinforcement and a Dokter. Enemy attacks us with kaffirs and a maxim also a strong mounted commando. Enemy has retired but is apparently preparing for a fresh attack. ( w.s. ) P.C. Hoffberg. F.C.

Further verbally informed by wheelrider that a certain person called EARLY is killed in house near lager, also the wife of one of the sons of P.J. Riekert; Commandant of Police also murdered. Police station of P.J. Riekert gutted; probably four have been killed but ~~cannot yet be stated with certainty~~ cannot yet be stated with certainty. I have immediately sent report to acting F.C. Hexriver and have also sent Dokter with patrol. The burghers still here will follow immediately ( please send this through to acting Commdt. General ) ends.

2). - To Government Pretoria begins: In pursuance of my telegram just despatched I again received the following report containing further particulars ( begins ): Derdepoort 25.11.99. Landdrost. It appears that they were the kaffirs of Linckwe, Sigul and Khama who to day made the attack upon us. They were lead by British Officers, armed with a maxim. The police who were at the time in their houses along the river sought refuge in our lager but were surrounded by the enemy, so that Gert. Rooseboom, Zacharias Pretorius Sr., Koos Pretorius, EARLY ( photographer ) were killed. In our lager there fell besides Jan Barnard M.F.V., Christ. Schoonraad, G. Smit, Hendrik Leroux despatchrider. ( w.s. ) J.T. Kirsten. acting Commandant. ends.

---



TELEGRAM RECEIVED IN CIPHER

*From* Pretoria,

Dec. 1, 1899.

Recd. 9:15 a.m.

*Casper*

Secretary State,  
Washington.

No reply. Department will approve (?) Leave  
on explanation. Imperative. Cable immediately.

*File*

---

*In view of cables sent by Depart-  
ment Nov. 7 and Nov. 20, no answer  
need be sent to this.*

*AJA*

*Carried over  
Ass. Sec.*

Deciphered by .



TELEGRAM RECEIVED IN CIPHER.

*File*  
*From* Pretoria,

Dec. 1, 1899.

Recd. 11:06 A.M.

Secretary State, Washington.

Can't leave without permission, ~~will~~ forfeit  
post, if Department don't approve on explanation.  
Please reply.

Deciphered by

, 189 , M.



This copy is for your  
information only. Please  
do not return it to the  
files. File copy has been  
sent to *St Hill*.....  
for instructions.

*Secy*

Pretoria,

Dec. 1, 1899.

Recd. 11:06 A.M.

Secretary State, Washington.

Can't leave without permission, ~~will~~ forfeit  
post, ~~is~~ Department don't approve on explanation.  
Please reply.

*Secretary*  
I incline to accept Mr. Macrum's  
suggestion and send some one  
from Dept to head office until  
a new appointment can be made.  
Until one man arrives, the Vice Consul  
can act.

*all*

8 9  
10  
No.95.

Consulate of the United States,

Pretoria, S.A.R., December 2, 1899.

Mr. Charles E. Macrum,

To the Department of State,

Subject.

Payment of £20 to J. D. Willis.

Abstract of Contents.

I acknowledge receipt of a cablegram from Department to pay to J.D.Willis £20, which I have done and enclose his receipt.-- I also advise that I have drawn on Department for the amount, \$97.33.

No.95.

Consulate of the United States,

Pretoria, S.A.R., December 2, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of the following cablegram from the Department:

"American Consul,  
Pretoria.

Pay J.D.Willis care Legget with Neuman  
and Coy, Johannesburg, twenty pounds, drawing on Department  
please, exchange.  
Hay."

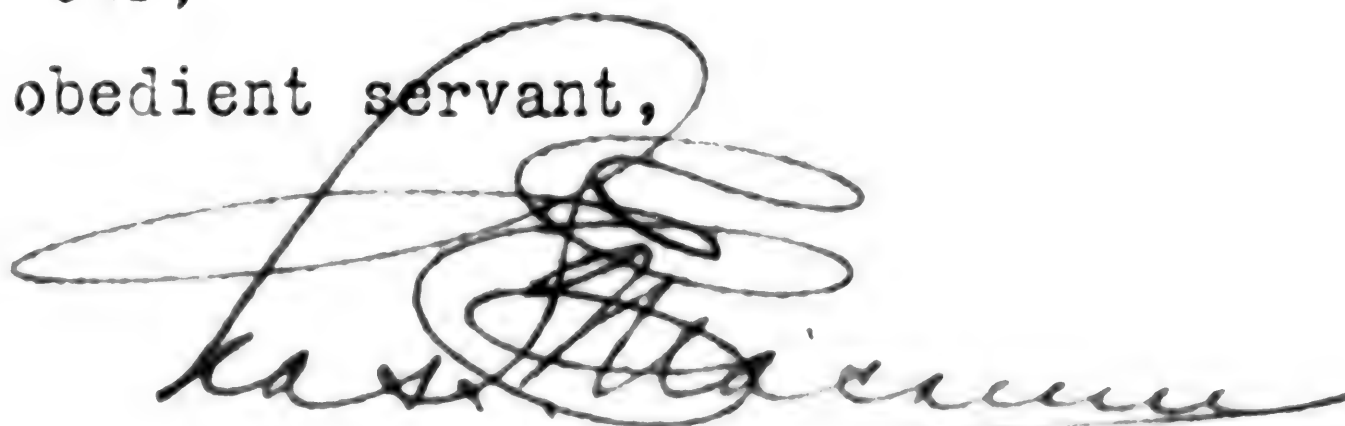
I have paid the money to Mr. Willis, and herewith  
enclose his receipt for same.

As per instructions, I have this day drawn to the  
order of N. C. Macrum, East Liverpool, Ohio, a draft on the  
Secretary of State for the amount, £20 (\$97.33), at sight,  
and trust the draft will be promptly honoured.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

*N. C. Macrum*

Enclosure:

J.D.Willis' receipt for £20.



*Cons Bureau*

No.96.

Consulate of the United States,

Pretoria, S.A.R., December 4, 1899.

Mr. Charles E. Macrum,

To the Department of State.



Subject.

Confirmation of Cablegram.

Abstract of Contents.

I acknowledge the receipt of cablegram from Department,  
re using my good offices in ameliorating condition of the  
prisoners of war in Pretoria.



No.96.

Consulate of the United States,

Pretoria, S.A.R., December 4, 1899.

Hon. David W. Hill,

Assistant Secretary of State,

Washington, U.S.A.

Sir:

I have the honour to acknowledge the receipt of y  
the following cablegram from the Department:

"Washington 1st.

Maorum,

Pretoria.

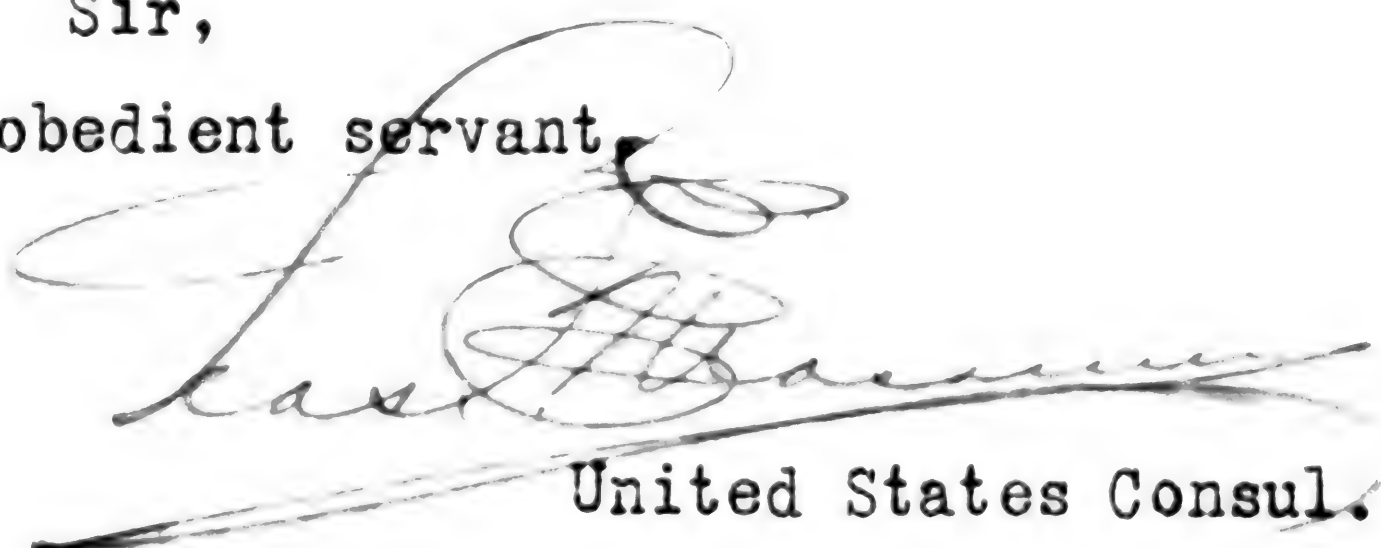
The good offices of a neutral power in dis-  
tributing moneys to prisoners and ameliorating their con-  
dition is in accordance with universal modern usage and  
the South African Government should be impressed with this.  
Hay."

The Government here has made no objection to my  
seeing the prisoners and doing what I could for them, with  
the exception of paying money to Major Cappel, and this  
objection was evidently occasioned by the misunderstanding  
as to my official status as representing the British Gov-  
ernment. As to their refusal to grant me the liberty of  
making a weekly report as requested by the Department, I  
have already informed you that they have conveyed to me  
an intimation of their willingness to send such a report  
through the military authorities at the front. The fact  
that at the first they were informed that the Boer prison-  
ers were not allowed to write while the British prisoners  
in Pretoria were granted that privilege made them more re-  
served at accepting friendly offices than is now the case.

I have the honour to be,

Sir,

Your obedient servant,



United States Consul.

*"Pretoria" S.A.R.*

No. 1

DEPARTMENT OF STATE,  
WASHINGTON.

December 5, 1899

2D ASSISTANT SECRETARY,

*File.*

DEC 5 1899

The Hon. A. A. Adee

Second Assistant Secretary

Department of State

Washington

*File*

Sir:

I have the honour to acknowledge the receipt of your  
Instruction No. 2, of December 4, in regard to the impressment  
of American citizens by the Government of the South African  
Republic. I shall look into this matter immediately on my  
arrival at Pretoria and shall advise the Department accord-  
-ingly.

I am, Sir,

Your obedient servant,

*Adelbert S. Hay*

December 8, 1899.

DEC 8 1899

File

Adelbert S. Hays

TELEGRAM RECEIVED IN CIPHER.

2D ASSISTANT SECRETARY,

*Confirm & file.*

DEC 8 1899

*From* Pretoria.

December 8, 1899.

Received 12:06 P.M.

*Noted*

Secretary of State.

Washington.

Sail eighteenth via Naples.

American Consul.

Deciphered by

, 189 , M.



DIPLOMATIC,

TELEGRAM RECEIVED.

DEC 15 1899

3 pm  
BUREAU

From

Treitoria

Dec 14

1899

Received

10.39 P

M.

✓ J. O. Dutcher  
Amb. Dec. 15.

Sec State,

Washington,

Transvaal Government informs me that it has intimated to British General Cape Town replying to request made by him acting for British Minister for War to State Secretary that full reports would be given through War Officer of this Republic when applied for

Maerum

FILE

one  
H. C.  
No.---

Consulate of the United States,

Pretoria, S.A.R., December 14, 1899.

Mr. Charles E. Macrum,

To the Department of State.

Subject.

Transmission of accounts and advice of drafts.

Abstract of Contents.

I submit my accounts and advise having drawn on Department.

No.---

Consulate of the United States,

Pretoria, S.A.R., Dec. 15, 1899.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, U.S.A.

S i r :

I have the honour to hand you herewith the following accounts and returns, covering that portion of the last quarter of 1899 up to my departure from Pretoria:

*H* Contingent Expense account, accompanied by vouchers,

Record of Notarial Fees,

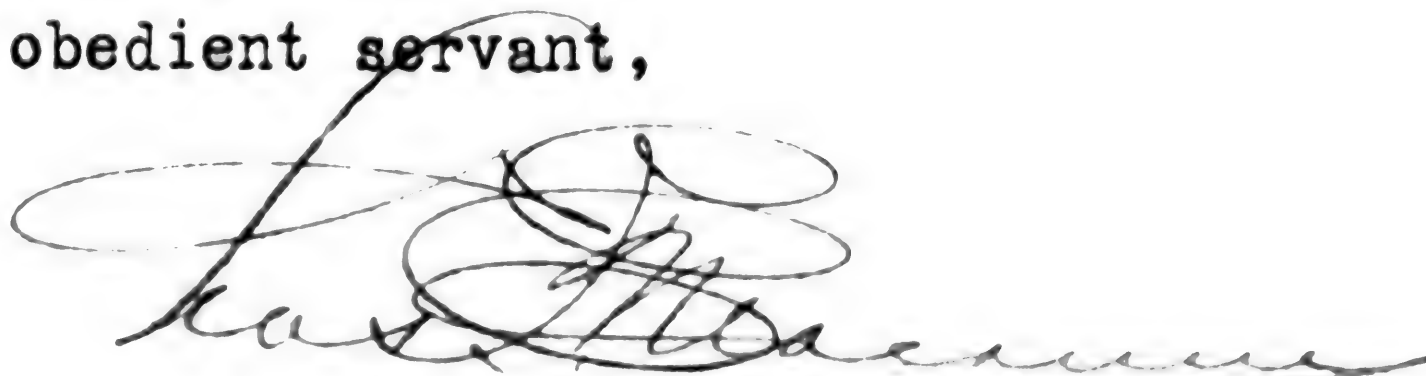
Statements of Passports Issued.

I have the honour to advise you that I have made draft to my own order on the Secretary of State, without exchange, for \$50619, which I trust you will find correct.

I have the honour to be,

Sir,

Your obedient servant,

A handwritten signature in dark ink, appearing to be 'L. B. ...', written over a horizontal line.

United States Consul.

Enclosed as above stated.

UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

INVENTORY OF GOVERNMENT PROPERTY.

December 15, 1899.

One (1) Oak Roll-top desk,  
One (1) Blickensderfer Typewriter,  
One (1) Typewriter desk,  
Two (2) Oak revolving Office Chairs,  
Six (6) Light-colored, bent-wood Chairs,  
One (1) Oak book-case, sliding glass doors,  
One (1) Large Oak Table,  
One letter press,  
One (1) Japan screen,  
One (1) Oak stand,  
One (1) Wilton Carpet,  
One (1) Cretonne -covered Settee,  
One (1) Cretonne-covered box, for supplies,  
One (1) pair Letter Scales,  
Lot Sash Curtains,  
Lot Stationary, Rubber-bands, Pens, Pencils, ect.,  
Lot Printed forms,  
Two (2) Flags,  
Record books:

Despatch book,  
Fee book,  
Invoice book,  
Miscellaneous Record book,  
Record of letters received,  
Record of letters sent,  
Record of accounts,  
Passport book,  
Three (3) Press copy books,

I hereby certify that I have found the above inventory to  
be correct.

Received the above:

*Stanley Hollis*  
.....  
U.S. Consul.

*Lawrence H. Macomber*  
.....  
U.S. Consul,



TELEGRAM RECEIVED.

Hon



From Pretoria

Dec 14

Received

738

Sec State,

Washington,

Robertson discharged and

sent over border

Maxim,

Consul.

TELEGRAM RECEIVED.

10

file  
8th



From

Pretoria,

Dec 14, 1899.

Received

7 38

AM.

Sec State,

Washington,

Robertson discharged and

sent over border

Maxim,

Consul.

*W. H. Dwyer*  
DEPT. OF STATE

TELEGRAM RECEIVED.

*Ans Bureau 5/20*  
*Confirm*  
*Confirmed Dec 20 1899*

DEC 19 9 23 AM 1899

RECEIVED OFFICE

From

*Pretoria*

*Dec 17 1899*

Received *10. P.M.*

*Sec State,*

*Washington,*

*Arrived Thursday*

*Hollis*

*W. R.*  
No. 97.

*Cons Bureau*

Consulate of the United States, Pretoria, S.A.P..



December 20 , 1899.

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

My arrival in Pretoria.

*Recd. & filed*

Abstract of Contents.

*Ackd  
by from  
Mch 2  
1900*

Report in my arrival in Pretoria and my entry upon  
the duties of this office.

Recognition by this Government.

{



No. 97.

Consulate of the United States, Pretoria, S.A.R.,

December 20 , 1899.

Honorable David A. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to refer to my despatch No. 119, of the 11th of December, 1899, from the United States Consulate at Johannesburg, and to report as follows:

A little before noon on the 13th instant I crossed the national border at Ressano Garcia and Komati Poort.

Traveled, by rail, all day through a mountainous country scenery much resembling that of New Hampshire.

At 1 P.M. I arrived at Waterval Onder, a small town situated in the bottom of a valley surrounded on all sides by steep-sided mountains.

At this place I was obliged to remain over night as no mail trains run at night in this country.

I found very comfortable quarters provided by the keeper of the railway restaurant, a Frenchman.

At 6 o'clock, on the morning of the 14th, I left Waterval Onder and travelled for a few miles over a wonderfully well constructed wheel railway, by way of which the trains pass from the low to the high veldt.

When on the high veldt we were clear of the mountains, and the train journeyed through a rolling, treeless, and grassy plain. At the Middleberg coal-fields, is some 6,500 feet above the level of the sea.

From the fact that nearly every man, and every woman fourteen or over, that I saw was armed with a Mauser and carried a bandolier full of cartridges, and that they were bare upon their arms, there was nothing to indicate that the country was in a state of war.

On the morning of the 14th I made the acquaintance of a man who was travelling in the train with me.

A son of the late General Buller, who, he solemnly

admitted, was guilty of neglect in Ladysmith after the battle of

Judge Koo. is a young man who has been educated in an English university and on the continent, and I found him to be a very agreeable gentleman and a pleasant traveling companion.

He was on his way to join the staff of General Lucas Meyer at the front, and was full of a quiet, but determined, patriotism.

Late in the afternoon of the 14th the train steamed into the Pretoria station where I was met by Consul Macrum who at once took me to his official residence.

On the 15th instant Consul Macrum and myself busied ourselves with the business of turning over, and explaining, the affairs of this Consulate to me. I also sent a cable despatch - as per copy enclosed - to the Department advising my arrival here.

In the evening we made an informal call upon State Secretary Reitz at his house.

I had seen Secretary Reitz ten years before when, as President of the Orange Free State, he had visited Cape Town, and while there, had visited the United States man o'war "Pensacola" and had been received with all the ceremony due to his rank, including a salute of 21 guns.

I reminded Mr. Reitz of this occurrence, of which he has retained a very vivid recollection, and this served to put me at once upon a very friendly footing with him.

On the 16th Mr. Macrum and I made the usual official calls upon the heads of the Government and upon the foreign Consuls and Consuls General stationed here.

At 10-30. P.M., on the 16th instant, Mr. Macrum with his family, and accompanied by Mr. Easton, the "Washington Post" correspondent, left by the fast mail train for Delagoa Bay.

The State Secretary, the Postmaster General, and quite a number of other officials and private people assembled to see them off.

On Sunday, the 17th, I transacted no official business.

On the 18th I was busy getting the scattered threads of correspondence, and other routine work, together.

So far I have met but a few Boers, but those I have met I have been very much pleased with. They resemble in very many ways the shrewd, kind-hearted, religious, honest and upright New England farmers whom I used to know, years ago, when I was a little boy.

On Monday, the 19th, I was introduced to President Kruger, whom I exchanged the usual compliments.

As the reception room was very dark (the President has trouble with his eyes and prefers darkened rooms) I was unable

was

unable to see him clearly.

I have now settled down into the routine work of this office and, with a great mass of correspondence that is now coming in, I have quite enough to do to keep me busy all the time.

Although the Government here has provisionally recognized me as United States Consul, it has been suggested that I should have an Exequatur which, I understand, can not be given by this Government unless a Commission, temporary or otherwise, is exhibited by me.

I respectfully invite the Department's views on this subject of Exequatur and Commission.

I have the honor to be,

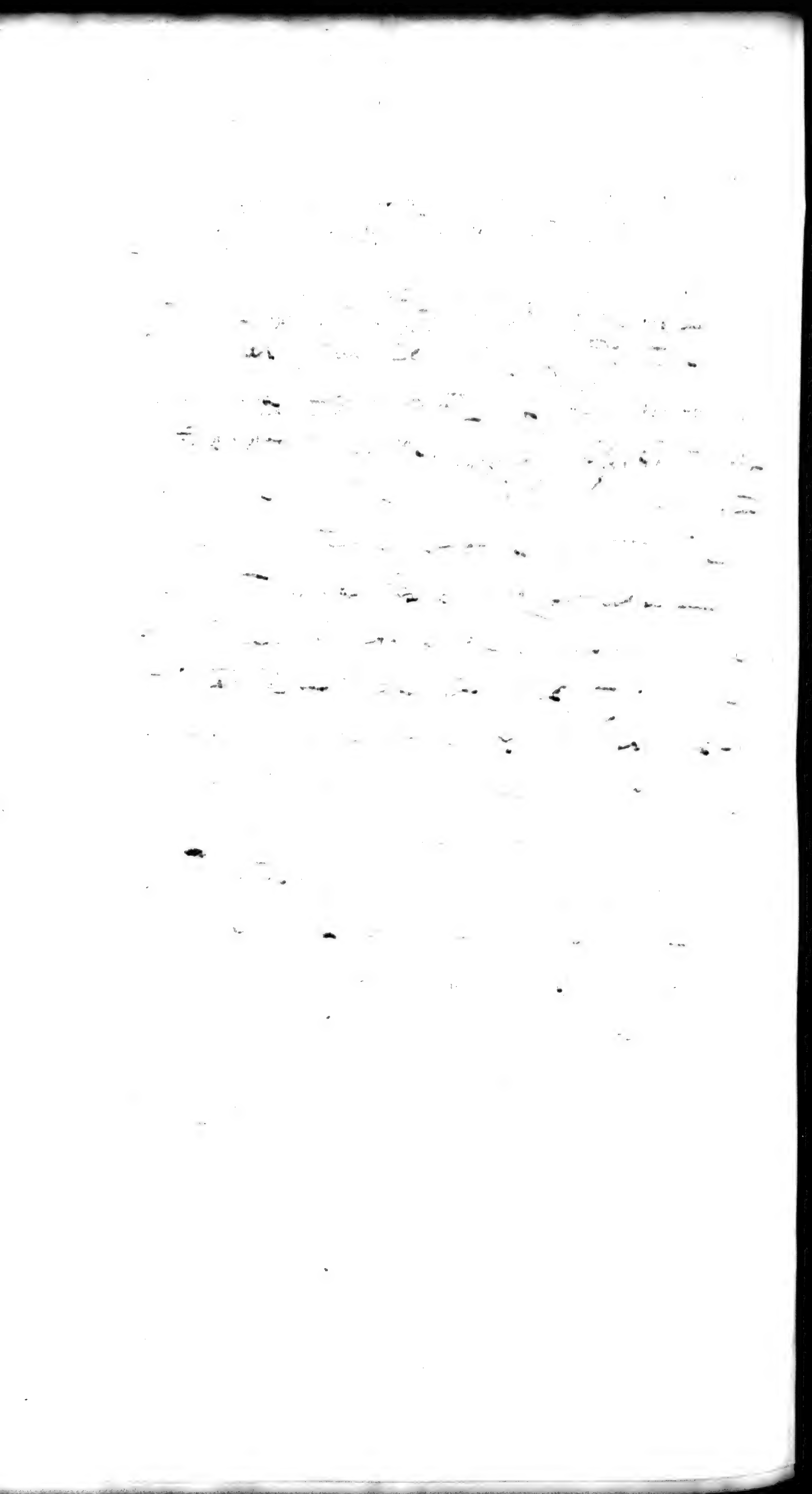
Sir,

Your obedient servant,

*W. Stanley Hollis*  
United States Consul.

Enclosure:

Copy of Cable to Department of State,  
December 15, 1899.





Consulate of the United States at Pretoria, S. A. R.  
W. Stanley Hollis, U.S. Consul, In Charge.

Copy of a Government Cablegram sent to the  
Department of State, on December 18, 1899.

Hollis                      to                      Secstate,  
Washington.

Arrived              Thursday .

---

*W. Stanley Hollis,  
U.S. Consul*

THE UNIVERSITY OF CHICAGO  
LIBRARY

THE UNIVERSITY OF CHICAGO  
LIBRARY

THE UNIVERSITY OF CHICAGO  
LIBRARY

THE UNIVERSITY OF CHICAGO  
LIBRARY

98.



*Mr Carr  
Examine them  
please Carter*

Consulate of the United States, Pretoria, S.A.R.,

December 23, 1899.

*Send the letters to Mr  
Macrum -*

W. Stanley Hollis,

To the Department of State.



Subject:

Receipt of the Mail.

*See letter Benj. Harrison  
Oct 19-1899.  
J. Benj. Harrison - part  
relating to trusts. July 27, 1900.*

Abstract of Contents.

Acknowledging the receipt of sundry mail from the  
Department of State, and transmitting some personal mail  
belonging to Consul Macrum.

Please look up the  
request upon which  
our Ad. 55 <sup>col 25</sup> was based  
and inform interested  
parties briefly in  
accordance with  
Mr. Hollis's remarks.

6.

Wm. Harrison Est 19



*Consulate of the United States, Pretoria, S.A.R.,*

December 23 , 1899.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

I have the honor to acknowledge the receipt at this Consulate of the following mail from the Department of State :

Three copies of the circular of September 16th, relating to "The Slave Trade."

The circular of September 26th, relating to "Passports."

"Values of Foreign Coins", dated October 1, 1899.

Three copies of the circular dated October 17th, and relating to "Bills of Health."

The instruction No. 55, of October 25th, relating to reported rioting at Johannesburg in which several Hebrews lost their lives. In this connection I desire to state that the

old report was false. There has been no rioting, nor

have any Hebrew merchants lost their lives in Johannesburg

or in any other place in this Republic.

The confirmation of the telegram of October 24th.

The circular dated October 25, and entitled "Commercial and Industrial Information."

The confirmation of the telegram of October 25th.

The confirmation of the telegram of October 26th.

The

The Department's instruction No.56, of October 30th, and two books and four pamphlets intended for presentation to the Surveyor General of this Republic.

The acknowledgment, dated October 31, of Consul Macrum's despatch No. 64.

The Department's instruction No.57, relating to the stock in Johannesburg of the General Electric Company.

I will refer this matter to Mr.Gordon, but can assure the Department now that all property in Johannesburg is very safe indeed, this Government having religiously expelled all bad characters from the country.

The confirmation of the Department's telegram dated the 4th of November.

The confirmation of the Department's telegram dated the 2nd of November.

The "Exports Declared" for the quarter ending June 30, 1899. All of the foregoing have been carefully noted and will be referred to later as the occasion to do so arises.

Wishing you, and the staff of the Department, the "Compliments of the Season".

I have the honor to be,

Sir,

Your obedient servant,

*W. Stanley Hollis,*

United States Consul.

Enclosures: 12 letters for Mr.Macrum.

1 letter for Mr.Faston.

*at to Mr. Macrum*  
*note, men. 610*

CONSULAR SERVICE, U. S. A.

U.S. Consulate, Pretoria, December 26, 1899.

Honorable Alvey A. Adey,

Second Assistant Secretary of State,

Washington, D.C.

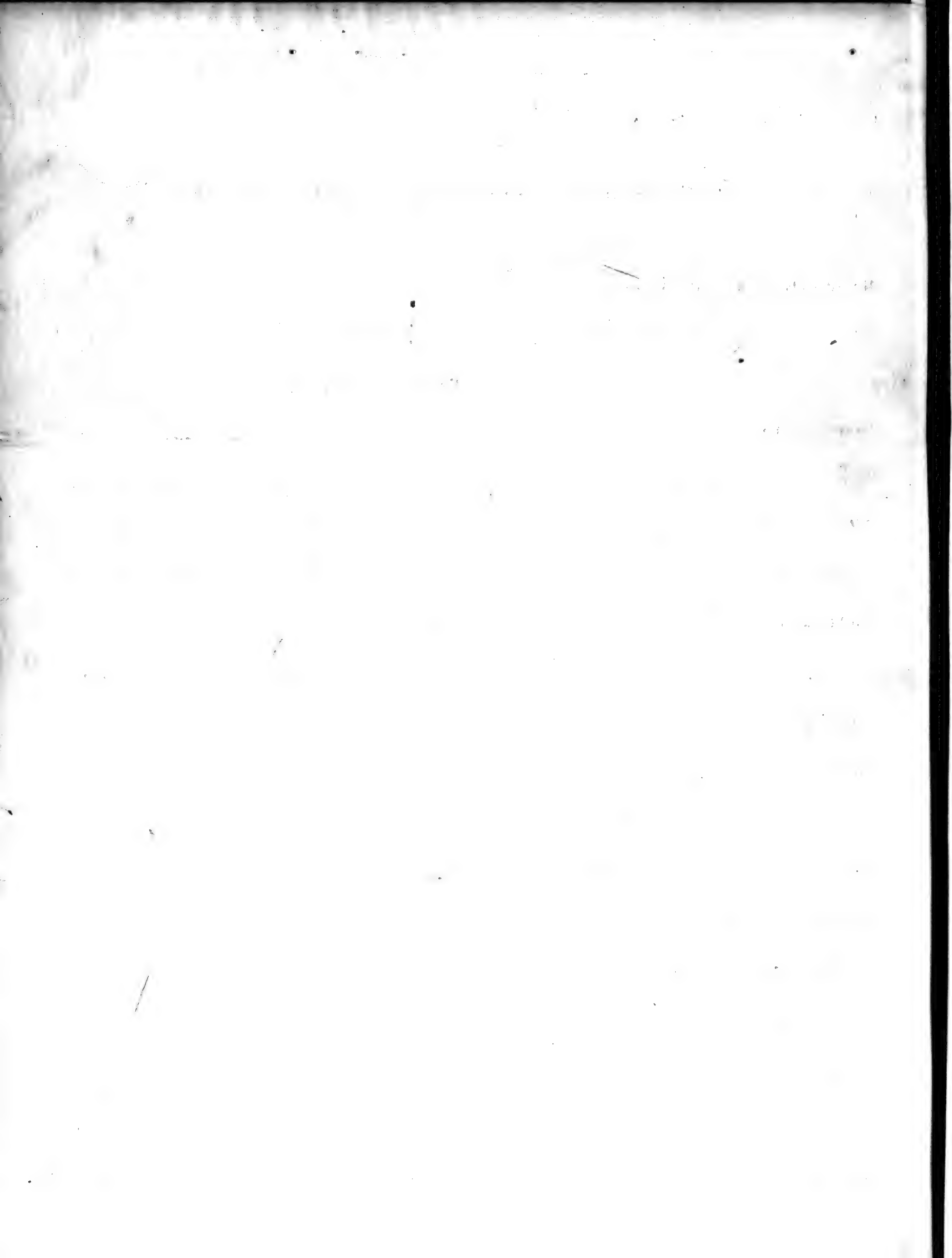
Dear Sir:

I beg to acknowledge the receipt of your letter of the 17th of November, 1899, enclosing a letter for Major Stanley Humphery, and to advise you that the said letter has been duly delivered through the military channels.

I have been here a little less than two weeks, and have been busy every minute as a great lot of delayed correspondence has lately arrived. I have also been in consultation, over various matters, with many of the leading officials here, and have met them every day. In my opinion these Boers have been greatly maligned. All whom I have met have impressed me as being brainy, level headed men, honest and courteous. In my opinion they resemble our own solid, Puritanical, New England people more than do any other race, or class, of people in the world. Mr. Macrum is now on his way home and will soon have the opportunity to tell our people many truths about these people.

Very truly yours,

*W. Stanley Hallis*, U. S. CONSUL.





1899



*Ans Bureau  
file  
7*

Consulate of the United States, Pretoria, Z.A.R.

December 26, 1899.

Mr. W. Stanley Hollis,

To the Department of State.

Subject:

Receipt of the Mail .



FILE

Abstract of Contents.

Acknowledging the receipt of sundry instructions  
from the Department of State .



No. 99.

Consulate of the United States, Pretoria, Z.A.R.,

December 26 , 1899 .

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of the following mail from the Department of State :-

The confirmation of the Department's telegram of Nov. 7th, 1899.

The confirmation of the Department's telegram of Nov. 7, 1899, ( relating to Major Capel &c. )

The acknowledgment of the receipt of Consul Macrum's despatch number 67.

The acknowledgment of the receipt of Consul Macrum's telegram of November 8, 1899.

The acknowledgment of the receipt of Consul Macrum's despatch number 65 .

The Department's instruction No. 58, of November 11, 1899.

The Department's instruction No. 59, of November 11, 1899.


The acknowledgment of the receipt of Consul Macrum's telegram of November 10, 1899, relating to British prisoners.

All of the foregoing will receive my careful attention and consideration.

I have the honor to be,

Sir,

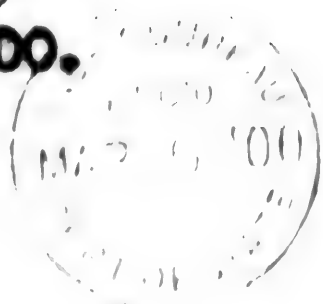
Your obedient servant,

  
U.S. CONSUL.





No. 100.



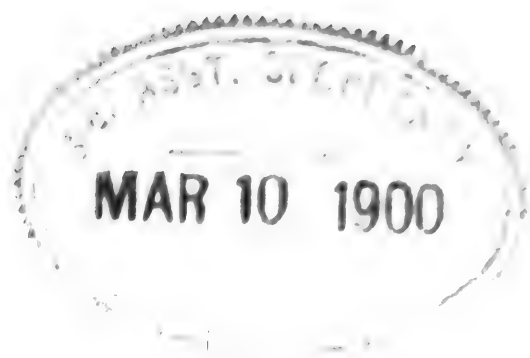
*Cons Bureau  
file*

Consulate of the United States, Pretoria, S.A.R.,

December 28 , 1899

Mr. W. Stanley Hollis,

To the Department of State.



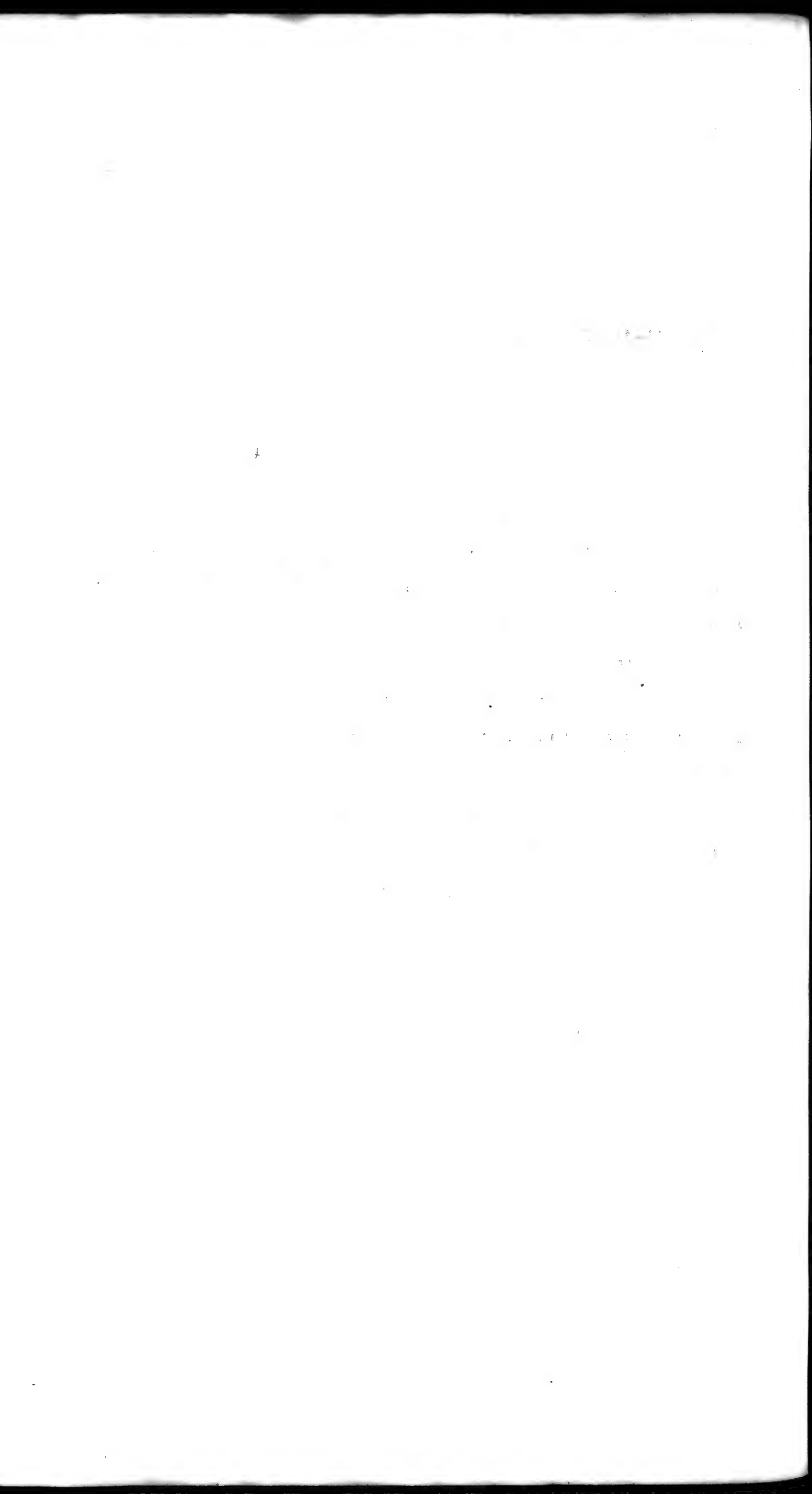
Subject:

Receipt of Reports from the Department of  
Agriculture.

FILE

Abstract of Contents.

Acknowledging the receipt of certain Reports of the  
Department of Agriculture which have been sent here for  
presentation to the Surveyor General of this Republic.



No. 100.

Consulate of the United States, Pretoria, S.A.R.,

December 28 , 1899.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No. 56, of the 30th of October, relating to the sending of certain reports to this Consulate, said reports being intended for presentation to the Surveyor General of this Republic.

I also have the honor to report that the said reports have arrived and have been sent, by me, to the Surveyor General.

I have the honor to be,

Sir,

Your obedient servant,

*W. Stanley Hollis*  
United States Consul.

Secretary of State.  
DEC 30 1899

Index  
TELEGRAM RECEIVED.

file

Min  
Ch  
11

From Pretoria

Dec 30, 1899

Received 1010 A.M.

U.S. OFFICE

Sec State

Washn

Transvaal Government

pleased to receive American

Army Officer

Hallie



No. 101.

*Cons Bureau  
T. M. Bragg  
Alb. App. C. L. L.*

Consulate of the United States, Pretoria, S.A.R.,

December 31, 1899.



Mr. W. Stanley Hollis,

To the Department of State.



Subject:

Messenger.

*Approved  
Mich 13.*

### Abstract of Contents.

Reporting that the old messenger left the service  
of this Consulate and that I have hired a new one.

*W. Stanley Hollis*

No. 101.

Consulate of the United States, Pretoria, S.A.R.,

December 31, 1899.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that the old messenger, who was engaged by Mr. Macrum, left the service of this Consulate, and that I have been obliged to hire a new messenger.

As almost all of the good boys have been drafted as servants at the front, or have cleared for their kraals I have had considerable trouble in getting a new messenger.

For the present time I am getting along, as best I can, with a young Kafir called Klein Booi. This boy is about sixteen years old. He can neither read<sup>n</sup> or write.

I have agreed to give him wages and rations amounting, all told, to the sum of \$15.00 per month.

As soon as I am able to get a more suitable boy for a messenger I shall let Klein Booi go.

Trusting that the Department will approve of my action in this matter,

I have the honor to be,

Sir,

Your obedient servant,

*W. Stanley Hollis,*  
U.S. Consul.

No. 102.



Consulate of the United States, Pretoria, Z.A.R.,

January 3, 1900

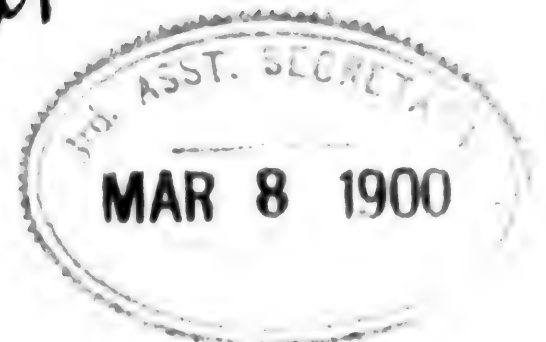
~~RECEIVED~~

Mr. W. Stanley Hollis,

To the Department of State.

*Ans Bureau  
Copy to War Dept. Referring  
to our recent letter, N.B.  
Military Attaché -*

*Copy for front  
to War Department 12/1900*



Subject:

American Army Officer to Accompany Transvaal  
Armies.

Abstract of Contents.

Reporting that this Government will be pleased to receive  
an American Army officer. Confirming my telegram to  
that effect.

*Dec 30*

No. 102.

Consulate of the United States, Pretoria, S.A.R.,

January 3, 1900. , 489-

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's telegram, as per copy enclosed.

The State Secretary has informed me that the Government of the South African Republic will be pleased to receive an officer of the United States and will show him all the honor and respect due to him as an officer and a citizen of the United States. This I have telegraphed as per copy .

I have the honor to be,

Sir,

Your obedient servant,

  
United States Consul.

Enclosures:

Copies of telegrams:

Hay, to American Consul, Pretoria, Dec. 27th, 1899.

Hollis, to Secstate, Washington, Dec. 30, 1899.



UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

---

Copy of telegram received on December 29, 1899,  
from the Department of State.

---

Washington, 27th.

Hay to American Consul,

Pretoria.

Ask permission for officer United States Army  
accompany Transvaal armies during present campaign.

---

A true copy.

*W. Stanley Hollis.*  
U.S. Consul.

UNITED STATES CONSULATE,  
PRETORIA, S. A. R.  
December 30, 1899.

Copy of an official telegram sent to the Department of State.

Hollis, to Secstate, Washington.

Transvaal Government pleased to receive American  
Army officer.

---

A true copy.

*W. Stanley Hollis,*  
United States Consul.

No. 103.



*File  
(201)*

*Solicitor*

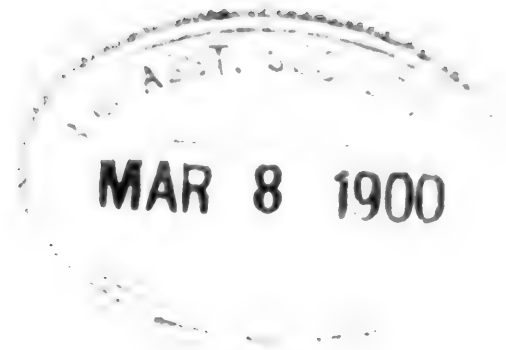
Consulate of the United States, Pretoria, S.A.R.,

January 3, 1900

, 489-

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

Seizure of Flour by the British.

Abstract of Contents.

Reporting the details of the seizure of sundry cargoes  
of American flour by the British authorities in South Africa.

No. 103.

Consulate of the United States, Pretoria, S.A.R.,

January 3, 1900. , 189-

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that I have received from Mr. H. Dolo, in charge of the U.S. Consulate at Lourenco Marquez, a telegram as per copy enclosed.

In reply to this telegram I have this morning telegraphed to the Department as per copy of telegram enclosed.

Ever since this flour was seized I have endeavored to learn the details of such seizures, but they have been jealously guarded by the British authorities and by the British steam-ship companies.

The Dutch agent of the steam-ship companies' at Lourenco Marquez has been kept quite in the dark as to these transactions and proceedings on the part of the British authorities.

All I could learn in this connection was reported in my despatch from Lourenco Marquez, No. 109, of November 2, 1899.

I have the honor to be,

Sir,

Your obedient servant,

*W. Stanley Hallis*  
United States Consul.

Enclosures: Copies of telegrams:

From Department of State, received Dec. 30, 1899.

To Department of State, sent Jan. 3, 1900.

From Mr. Dolo, Lourenco Marquez, Jan. 3, 1900.



UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

Copy of a telegram received from H.Dolo,  
in charge of the U.S.Consulate at Lourenco  
Marques, December 30, 1899.

Dolo to American Consul, Pretoria.

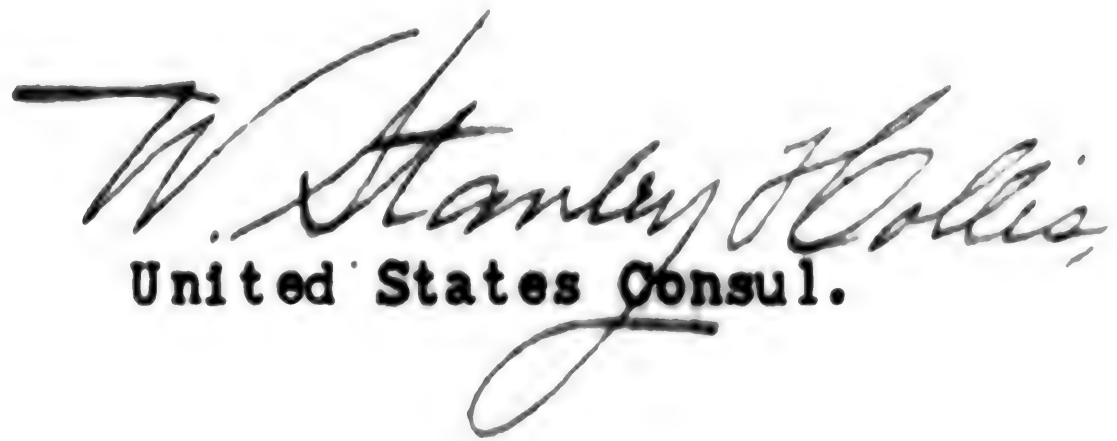
Received this morning from Washington:

Ascertain facts concerning seizure flour .

Hay.

---

The above is a true copy.

  
United States Consul.

UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

January 3, 1900.

Copy of an official telegram sent to the  
Department of State, Washington, D.C.

Hollis, to Secstate, Washington.

Flour from Newyork for Delagoabay as follows ex  
Maria 9000 bags Beatrice 27000 bags Mashona no  
details seized as contraband by British and  
discharged at Durban Eastlondon Capetown.

A true copy.

  
United States Consul.

UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

Copy of a telegram received on the 3rd of January, 1900  
from Mr.H.Dolo, in charge of the U.S.Consulate at Lourenco  
Marquez.  
-----

From Dolo to American Consul, Pretoria.  
Bridler has 400 bags flour and A.May 3000 bags  
flour from Mashona discharged four weeks ago in  
Cape Town A.May has also 18000 bags flour discharged  
in East London three weeks ago from Beatrice .  
This is all I can do .

A true copy.

*W. Stanley Holis*  
United States Consul.

*Long*  
DEPT. OF STATE  
JAN-4 1900  
CHIEF CLERK

*Index*  
TELEGRAM RECEIVED.  
WU 5 F WA 31 Words.

*On Russian  
Confirm*

From Pretoria,

January 3, 1900.

Received 10:20 P.M.

SecState,  
Washington,



Flour from New York for Delagoa bay as follows:  
Ex Maria 9000 bags, Beatrice 27000 bags, Mashona no details,  
seized as contraband by British and discharged at Durban,  
East London, Cape Town.

Hollis.

*Confirmed  
Jan 6  
1900*

*Seen by the Secretary and Asst. Secy.*



Chas. C. Roseman  
Hague & Co.  
New York

*gm*  
No. 104.

*Ans Bureau*  
*Substance to Genl.*  
*Electric Co., referring*

Consulate of the United States, Pretoria, S.A.R.,

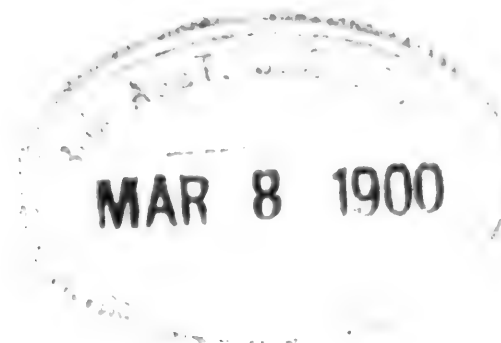


January 4, 1900. 489-.

*ackd U.S. of Oct 30. 1*  
*our reply of Nov. 2, 1900*

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

The General Electric Company.

*ack'd to*  
*General Electric Co.*  
*March 10-1900*

Abstract of Contents.

Reporting that the property, in Johannesburg, of the  
above mentioned company is all right.

No. 104.

Consulate of the United States, Pretoria, S.A.R.,

January 4, 1900., ~~1899~~.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to refer to the Department's instruction No. 57, of November 2, 1899, and to report as follows:

I sent the above mentioned instruction, with its enclosures, to Consular Agent Gordon at Johannesburg and requested him to look into the matter.

Mr. Gordon has since written me, enclosing a letter that he has received from the agent in Johannesburg of this company - a copy of which letter is hereby enclosed -, and has informed me that Johannesburg, at the present time, is as quiet as a New England village on Sunday.

Goods in Johannesburg are perfectly safe.

Should any of the General Electric Company's goods be required to keep the mines that are now being worked by the Government in operation this Government will take them and will give a "commandeer" receipt with the value attached.

These receipts may be taken up and paid for at any time, or they may not be settled for until the war is over.

Notwithstanding the systematic efforts of the English press to embitter these people against the Americans our people are still well liked here and receive all the consideration that can possibly be expected under the circumstances.

I have the honor to be,

Sir,

Your obedient servant,

*W. Stanley Collis.*

United States Consul.

Enclosure: Copy of letter, dated Dec.30, 1899, from  
Mr.J.F.Lea.



Copy.

The South African General  
Electric Company,

Johannesburg, December 30, 1899.

W.D.Gordon, Esq.,

U.S.Consular Agent,

Johannesburg.

Dear Sir:

With reference to our conversation this A.M. re General Electric Co's. property in Johannesburg, I beg to inform you that up to the present our stock is absolutely intact and I have every confidence that it will remain so during the present crisis.

There is of course a possibility of stock being commandeered for the mines at present worked by the Government, but I hardly think they will commandeer from us being American Subjects, a fact which we advertise very freely with flags and posters, besides which there are a number of British firms in town who are carrying a much larger stock than we are.

I am keeping our store on Commissioner Str. open six hours daily more for appearance than for business, that being practically impossible at present .

You can assure our directors at home that every means possible will be taken to protect their interest in Johannesburg and at the Coast; in case any unforeseen circumstance should arise I will immediately communicate with you.

I remain, Yours faithfully,

( signed ) J. F. LEA.

*Ans. Russell*

No. 105.

Consulate of the United States, Pretoria, S.A.R.,

January 5, 1900.

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

The American Attitude in this War.

*Acts  
March 14  
1900*

Abstract of Contents.

The British press has endeavored to embitter the feeling between the Americans and the Afrikanders.

The Boer character.

My relations with this Government and with these people.

How the Boers have regarded the United States.

The true cause of this war.

America's interests, present and future, in South Africa.

No. 105.

Consulate of the United States, Pretoria, S.A.R.,

January 5, 1900., ~~189~~.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that I consider it my duty to bring before the notice of the Department the systematic efforts on the part of the English press to embitter the Boers, and the Republican Afrikanders generally, against the United States.

Ever since this war began Reuter's cable service to this country has been full of false and misleading statements regarding the attitude of the United States in this unhappy war.

We have read in the daily South African papers, under the headings "Reuter's Cables", that the United States was not neutral but was practically at the back of, and was encouraging, Great Britain in this war against the Boers, and that the sentiment of the United States was overwhelmingly against these two little Republics.

To cap the climax, Reuter informed us the other day that Consul Hay had gone to London to receive his instructions.

One of the most wonderful things about this whole unhappy business is the marvellous press campaign that has been carried on against this little Republic.

The world at large has been made to believe that Kruger and his supporters were little better than a band of pirates;  
that



pirates;

that the average Boer was worse than a Kafir, and that the whole nation was a mass of corruption and wickedness.

Horrible tales have been printed of the indignities that women and children have had to suffer at the hands of the Boers.

Now I want to state that I have been a close observer of South African affairs for more than ten years and that, living just outside of this country as I have done, I believe that I have gained a clearer insight into its history and affairs than the average man who has lived right in the country where clear judgment must necessarily be biased by local conditions and by private interests.

During my long residence in South Africa I have not been financially interested in anything whatsoever pertaining to this country. I never owned a share in any South African company, or do I ever expect to own one.

There has been nothing connected with my whole career in this country that would cause me to favor the cause of one antagonist more than that of another, or to cause me to depart from the absolutely neutral attitude that I constantly maintain.

But, as a matter of simple justice; as a matter of official duty to the Government that I have the honor to represent, I must warn the Department and the American people that the newspaper reports referred to, and concerning these people, are not only misleading but are, in 99 cases out of 100, utterly devoid of any foundation whatever.

The respect that the Boers have for home life and family ties, and their reverence for womanhood is as deep as is that of our own people. In the Boer commandoes the religious idea predominates, and morning and evening hymns and prayers

are



prayers

are the order of the day. When in darkness or in doubt they go to the Bible for inspiration and for comfort.

When one considers the lives that these people have led: of dangers and hardships during the many Kafir wars the country has passed through, and of Puritanical simplicity during times of peace, one must realize that such people are Nature's own noblemen.

It is true that many of the common Boers are rough in their dress and in their manners, and that the educated ones are suspicious and reserved; but approach these people honestly and openly and you will find that, although the exterior may be rough - and in some cases forbidding - underneath are kind hearts that are as true as steel, and you will also find that careful consideration for the feelings of others that is the distinguishing characteristic of the true gentleman.

The Boers are carrying on this war in an honorable and civilized manner and, I have seen in the Natal papers, the British commanders in South Africa are already beginning to recognize the honorable and chivalrous conduct of the Boers.

Officially this Government recognizes me only as the representative of the United States. They have taken particular pains to impress this fact upon me..

But, unofficially, I have been allowed to do many little things for the British prisoners here, and for their friends.

I have a little commission on hand now to supply every British soldier in prison here with a pipe and a handfull of tobacco.

This Consulate is being turned into a post office for prisoners' letters.

Everything outside of my purely professional duties

as

4

duties

as United States Consul is done with the full knowledge and consent of this Government.

Now what I have written will, I trust, give you an insight into the Boer character.

In addition to this I find that these people have always respected and looked up to the American people, and have regarded us with the simple faith and admiration with which a little child would regard an honest, upright, and powerful man.

Such being the case I think that it will be a great and lasting pity if these Afrikanders ever are, through the machinations of the English press, embittered against us.

Whatever happens the Afrikander race can neither be crushed<sup>^</sup> or exterminated. It is like a rich field that has been allowed to lie fallow for years but which afterwards can produce rich and abundant crops.

What are the facts ?

Their simple pastoral lives have given them sound bodies, keen senses, and healthy minds. In this country where practically every male inhabitant big enough to carry a gun is liable to military service not more than two or three per cent. are physically unfit for such service.

Intellectually the Afrikander children are much brighter and quicker to learn than are English or European children.

This is not a random statement. Mrs. Hollis has verified it by careful research and enquiry.

Logically this war was bound to come. The workings of the laws of nature were building up a new nation here, and the psychological moment had come. British supremacy in South Africa was being menaced by a strong and virile race.

It was necessary - or appeared to the British Government to be necessary - to do something to circumscribe the sphere  
of



sphere

of activity of that race, otherwise, it was feared, imperial interests would suffer.

The "something" is now being attempted, and many hearts in South Africa and in England are now breaking in consequence.

Boiled down and condensed the official British reason for this war is that "Great Britain is bound to protect its subjects and to uphold their rights in this country."

Now I know for a fact that all foreigners in this country who have behaved themselves and who have not been concerned in schemes to upset and overthrow this Government have enjoyed fully the rights accorded to all citizens, or subjects, of the most favored nation.

I have not yet met one respectable American who found the conditions of life in this country unbearable, or even onerous. But I have met hundreds of good honest Americans and a goodly number of people of other nationalities who have all praised this country as the ideal country for the working man and for the mining man.

The bare fact that hundreds of non-British uitlanders are to-day fighting in the Republican ranks, and that many more are remaining here at work in the mines and elsewhere, proves that these non-British uitlanders are satisfied with the conditions of life in this country.

Thus it will be seen that the true cause of this war is that Britain sees that another of her children - or, to be more correct in this instance, one of her step-children - has grown to man's estate and wishes to run his house to suit himself and not to suit his step-relatives who wish to deprive him of the keys of his cash box; and, such being the case, Britain endeavors to prevent this by force of arms.

6

I would not presume to expect that the American Government or people would take one side or the other in this contest.

I simply wish to present the facts as they appear to me after more than ten years of careful study of South African questions, and to let the American people judge for themselves. But we must look into the future.

I am firmly convinced that the Afrikander, Dutch-Huguenot race is to be the ruling race of South Africa, and that it will absorb the other races possessing less individuality, as the United States has already done.

Such being the case it will be well for the American people to carefully look into this matter, and to study closely the South African situation from the American - not the British - standpoint.

There is going to be a big market in this country for goods our American people can supply, and our people should endeavor to keep the friendship, or at least the friendly regard of these people if we wish to do an extensive business with them later on.

In spite of the misrepresentations of the English press the Boers still have a warm regard for us.

Let us hope that the good feeling between the two peoples will be maintained and that it will lead, in the coming years, to a close and friendly understanding between the two countries upon which a large and profitable commerce may be built up.

I have the honor to be,

Sir,

Your obedient servant,

  
United States Consul.



No. 106.

*Cons Bureau*  
*Forward Effects*  
*to Adm*

Consulate of the United States, Pretoria, S.A.R.,

January 5, 1900. , 189-

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

Effects of a Dead British Soldier.

*To Mrs*  
*Saunders*  
*with package*  
*Ans*  
*Mar 9*  
*1900*

Abstract of Contents.

A burger of the Transvaal has delivered to me a few effects taken from a dead British soldier, and has requested me to forward them to the widow of the said soldier who is supposed to be living in Chicago, Ill., U.S.A.



No. 106.

Consulate of the United States, Pretoria, S.A.R.

January 5, 1900. , ~~1899~~.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit to the Department two letters written by a neighbor of mine, Mr. Paul Mare, and addressed to Mrs. Saunders, 366 Fulton Street, Chicago, Ill., also the following articles:

Pipe.

Knife.

Tobacco box,

Chevron,

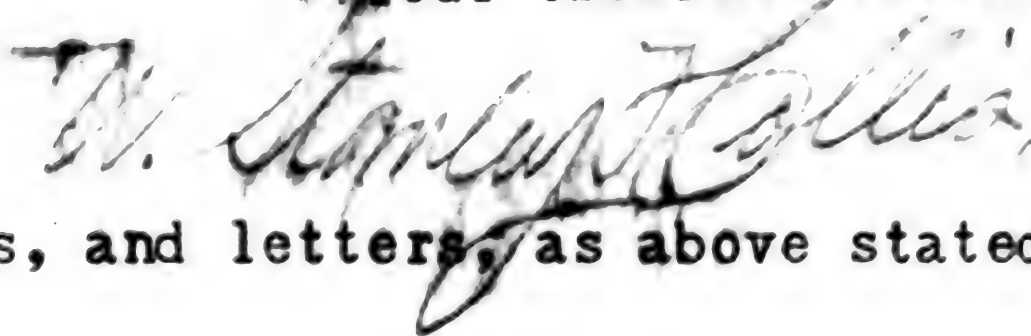
Bandage wrappings.

These Mr. Mare took from the body of W. Saunders, a British soldier, killed in battle near Ladysmith.

Mr. Mare, who is a kind-hearted, chivalrous Boer - as are all of his countrymen - has asked me to forward these few relics to the widow of Saunders. This I now do, through the Department, and trust that my action in so doing will meet with your approval.

I have the honor to be, Sir,

Your obedient servant,



U.S. Consul.

Enclosures: Relics, and letters, as above stated.





Cons Bureau

No. 107.

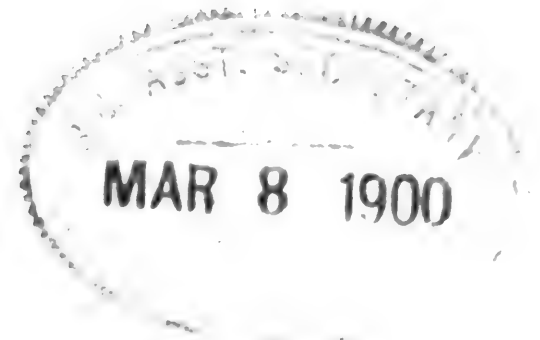


Consulate of the United States, Pretoria, S.A.R.,

January, 15th, 1900. 189.

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

Acted  
Mch 14  
1900

Communication from the Orange Free State.

Abstract of Contents.

Transmitting the above communication.



No. 107.

Consulate of the United States, Pretoria, S.A.R.,

January, 15th, 1900. -489 .

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to transmit, herewith enclosed, to the Department, a Communication, in Dutch and English, that I have received from the Government of the Orange Free State, with the request that I forward it to the Department of State.

I have the honor to be, sir,

Your obedient servant,

*W. Stanley Hollis,*  
United States Consul.

Enclosure:- Communication from the Government of the  
Orange Free State.

I

O





Gouvernements Kantoor,

B l o e m f o n t e i n , 30. December. 1899.

:- R.

yl :- 7 .

WeEd. Gestrenge Heer !

Op last van ZHed. den Staatspresident, heb ik de eer Ued. Gestrenge hiernevens toe te zenden afschriften van eene telegrafische correspondentie, door ZHed. gevoerd met ZEd. Gestrenge den Generaal van de Legermacht van H. M. de Koningin van Engeland en Groot Brittanje, thans in Zuid Afrika, met betrekking tot het gevangen nemen van Dr. Ramsbottom en zyhe onderhoorigen, verbonden aan eene onzydige Ambulance Korps, onder de bepalingen van de Geneva Conventie, ingericht ter verpleging van gewonden, en in verband met het in beslag nemen van al het materiaal en baggage aan gemeld Korps behorende.

Het is de wensh van ZHed. den Staatspresident, dat Ued. Gestrenge de eerste gelegenheid zult te baat nemen om den inhoud van de gemelde correspondentie ter kennis te brengen van de Hoog Edele Regeering, door Ued. Gestrenge alhier vertegenwoordigd, met een beleefd verzoek na te gaan in hoe verre de handeling aan den kant van de Britsche Regeering eene schending is geweest van de Internationāle verplichtingen, door de Conventie van Geneva aan hare leden opgelegd, en indien noodig bevonden, zoodanige maatregelen te nemen, die wenschelyk mogen worden geacht ter voorkoming van eene herhaling van eene daad, die door ZHed. als onrechtmatig wordt beschouwd.

Het

WeEd. Gestrenge Heer !

A. Elliott,

Consulaire Agent voor de Vereenigde Staten  
van Noord Amerika,  
B l o e m f o n t e i n .

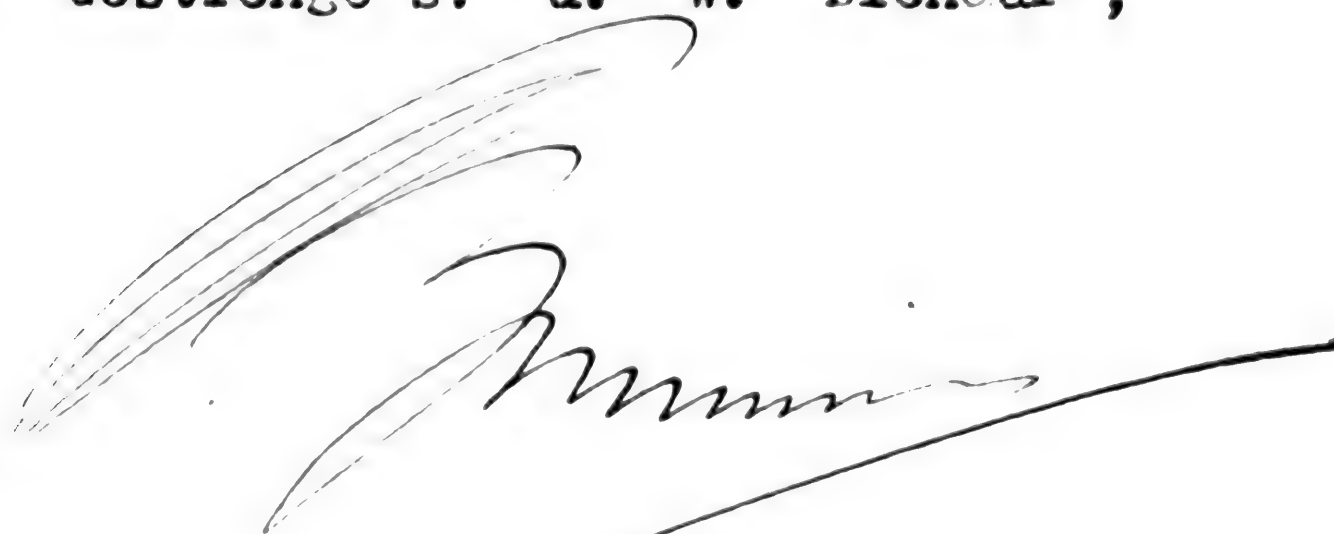


Het is noodeloos Ued. Gestrenge de verzekering te geven, dat, afgescheiden van het ongerief en ongemak aan het personeel van het Ambulance en angst aan zyne familie betrekkingen veroorzaakt, de gewonden zoowel aan onze zyde als aan den kant van de Britsche troepen, die in onze handen waren gevallen, het gemis van behoorlyke geneeskundige verpleging en middelen ten zeerste hebben gevoeld.

Ued. Gestrenge de verzekering gevende van myne byzondere hoogachting,

heb ik de eer te zyn,

Ued . Gestrenge's. d. w. Dienaar ,

A large, stylized handwritten signature in dark ink, likely belonging to the official mentioned in the text below.

Gouvernements Secretaris .





A n

Aan

Staatspresident

Generaal

Bloemfontein.

Kaapstad.

30 November. Gisteren, na de slag te Modderrivier gingen Dr. Karsbotten, het hoofd van de Ambulance Afdeling met de Dokters Voortman, Sidwell en Krause naar het slagveld in de uitoefening hunner gewone plichten en sedert zijn zij niet teruggekomen. Aangezien niets van hen vernomen is zal ik het een gunst rekenen eenige inlichting omtrent hen van u te mogen ontvangen

-:-:-:-:-

V a n

A a n

Generaal,

Staatspresident,

K a a p s t a d .

B l o e m f o n t e i n .

2 December, No. 337. Ik heb de eer de ontvangst te eren van UEds telegram van van 30 November. Ik ben bezig onderzoek in te stellen en zal den uitslag mededeelen.

-:-:-:-:-

A n

Aan

Generaal,

Staatspresident,

K a a p s t a d .

Bloemfontein.

3 December, No. 262. Ten gevolge o, mijn telegram No. 337. De bedoelde Dokter vergezeld is door de andere leden van gisteren van Modderrivier naar Kaapstad.

-:-:-:-:-

V a n

A a n

Staatspresident

Generaal,

Bloemfontein.

Kaapstad.

3 December. Ik eren het dank van de telegram van gisteren en leden. Volgens het laatste melding, maakt van een Dokter, die met de gewonden naar Kaapstad ging, en dat hij aanvoelen zijn zoo spoedig eenenlijk verdere inlichtingen te ontvangen, betreffende al de Dokters en Ambulance mannen, die niet terug gekomen zijn, naar de vrouwen en betrekkingen natuurlijk oerustig omtrent hen zijn. Ik wil ook zij de namen der Dokters, die naar het slagveld voor de gewonden gingen en die daarna tot nu toe vergind worden: Dr. Karsbotten, hoofd der Ambulance, Dokters Sidwell, Voortman, Krause, Mangold en Boeken, hunne assistenten en staf. Verzoekt de gunst van een spoedig antwoord.

1. The first part of the report  
describes the general situation  
of the country and the  
state of the economy.  
It also mentions the  
main problems which  
the government is facing.  
The second part of the report  
deals with the results of the  
survey and the conclusions  
drawn from it. It also  
contains some suggestions  
for the future.

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V a n

staatsprezident  
bloemfontein.

A a a

Van der Merwe,  
Vereeniging.

5 December. Aanlopend kwam er rapporten in dat Posters en uit-  
schapen onder het goede kruis, die uit vonden worden en de giron-  
ten te verplegen, niet van het slagveld wederkeeren. Als u zoo  
vriendelijk zijn zij te berichten of zij door de bevelvoerende  
militaire officier te worden toegelaten, of zelfs met een voor-  
schijn gebracht te worden. Het is het ongemak van  
een geweten veroorzaakt door de dood van een van de veld-  
rechten, eerst daarom te worden bezocht van de veld- en  
beveiliging der verplegen. De spoorlijn moet ook hier  
worden hersteld.

1-1-1-1-1-1-1-1-1-1

V a n

Van der Merwe,  
Vereeniging.

A a a

Staatsprezident,  
Bloemfontein.

5 December, A. D. 115. Het is door de berichten dat Drs. Haze-  
bottom, Voortman, Bidwell, Graue, en Langeld en 25 assistent  
hier gisteren ~~aan~~ per trein aankwamen en gisteren ~~aan~~ <sup>bezoeken</sup> naar  
het ziekenhuis vertrokken zijn. De officier die het bevel over het  
aanst. Noordelijke Station voert, is verzocht geweest om hier te  
overlijde ook te laten.





Am. General, Levellehaber der  
britische Troepen, Hauptstad.

113.  
De Doctoren daarin vermeld zijn te Jacobbadal aangekomen. Dr. Kuss-  
botten, hoofd der Ambulances Afdeling, die onder het Roodcruis werk-  
zaam is, rapporteerde over de toegenomen belang van Jacobbadal, ver-  
teelt, te zijn - 1. Het aan Ubbi. verder te rapporteren dat al onze  
ambulances en medische vestigingen en benodigdheden door de Duitschen als  
beute zijn genomen geworden, niettegenstaande het feit dat ik het dui-  
delijk maakte dat de Orange Vrijstaat een der partijen uitmaakt van  
de Geneva Conventie. eindelijk. Ik moet het medrus protesteeren tegen  
de Duitsche medische vestigingen, als zij de tegenrijding aan  
het medische corps, med. etc. Ik moet verzoeken om het ambulantie wezen  
te stellen om te stellen die deernis hebben zijn, zonder verzuig aan  
het ambulantie corps onder Dr. Kussbotten terug te geven. Ik heb Dr.  
Kussbotten gelinkt naar de voortzetting te maken of persoonlijk verslag  
te geven over andere zaken in verband met zijne aanhouding en behan-  
deling door de Duitsche militaire Authoriteiten aan wierover hij klaagt  
in het ambulantie corps. Ik heb in de volge-nde lijst de namen voor mij  
te geven alhier zonder enige officiële getuigen de redenen, die  
te geven te geven om de Rodecruis Ambulance Doctoren te geven te  
geven te geven aanhouden door de Duitsche Authoriteiten.

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v. 10. rufes. argus.

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Vari

September 21, 1961

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rdag) kregen wij een weinig voedsel van onze eigen wagen en om on-  
veer 2 uur kregen wij voedsel van de Engelschen. Te 2 uur kwam een  
r Britsche Dokters- en verpleegster- en chirurgijn- Lijcor Bradshaw  
een der Staf Officieren - die ons zelde dat wij ons gereed moesten  
maaken om te 4 uur naar Kaapstad te vertrekken. Ik vroeg hem daarop :  
"Is het goed verstaan dat het personeel van eens behoorlijk aange-  
eide ambulance-ide van eenen Staat, die deel neemt in de Geneve -  
ventie, Krijgsgevangenen kan worden gemaakt, terwijl het de gewonden  
rpleegt?" Hij antwoordde daarop toestemmend. Op zijne vraag of  
ambulance onder dezelfde omstandigheden als buit kon worden genomen,  
antwoordde hij ook "Ja". Ik heb geen ander woord met hem gewisseld.. Wij  
zijn dien avond niet vertrokken maar wel den volgenden morgen,  
(vrijdag) Voor wij vertrokken ontmoette ik Kapitein Ross, die Krijgs-  
commissaris van de Staf is. Ik vertelde hem dat de behandeling ons  
aangeaan volgens mijn opinie, onwettig en geheel tegenstrijdig was  
de Geneve Conventie. Van af Modderrivier tot aan Cranjerivier  
braken wij met de gewonden in Veewagens vervoerd. Van af Cranjerivier  
tot aan de Aar in Derde Klasse rijtuigen. Aan de Aar werden wij den  
neel- dag met met de gevangenen in de Gevangenis gehouden. De plek  
ende van weeghuizen en andere insteten. Onze koffie werd ons gebracht  
en ons brood in zakken. Van af De Aar reisden wij weder in  
wagens, die niet waren schoon gemaakt, alhoewel er minstens tien  
passagiers rijtuigen stonden, waarin zich geen enkelen passagier bevond  
ende bewaars vergezelden ons in de truck, en hunne orders waren  
er in geen geval een onzer uit de truck te laten komen en om geen  
consens van hem te verdragen " Gelukkig voor ons waren de bewakers,  
die ons vergezelden, beschouder van de Officier, die het bevel had  
geven. Hij kwam te Kaapstad om 12.30 a.m. aan en werden onmiddelijk  
naar het " Marine Militaire Hospitaal ", Breakwater, vervoerd. Daar woe  
ons bericht dat het alles een abuis was en dat wij zoo spoedig  
als mogelijk teruggezonden zouden worden. Er volgde om in 1903 en toen  
de enige verklaring aflegde dat onze wagens in de ambulance  
niet zaten en geen wapens droegen. Dien velden avond te 2 uur,  
kwamen wij Kaapstad, de Dokters in kuren en de wagens in de r-  
klasse rij tuigen. Voedsel werd verschaft in Tafelfontein, Trede-  
de Kogel in Victoria West. Op de reis naar de Kaap gevingen wij  
een rustoeten, niets dan brood en maal per dag, alsook koffie en  
lijes vleesch. Op sommige plaatsen werd aan ons toegestaan ons eigen

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Government Offices

Bloemfontein 30 December 1899.

Sir,

By direction of His Honour the State President I have the honour to enclose copies of a telegraphic correspondence exchanged between His Honour and his Excellency the general of the forces of H.M. the Queen of England and Great Britain now in South Africa, concerning the apprehension of Dr Ramsbottom and his subordinates belonging to a neutral ambulance corps under the stipulations of the Geneva Convention, fit up for the treatment of wounded and in connection with the confiscating of all the material and luggage belonging to the above mentioned corps.

It is the wish of His Honour the State President that you will avail yourself of the first opportunity to communicate the contents of the above mentioned correspondence to the Honourable Government, here represented by you, with a kind request to investigate in how far the act on the side of the British Government has been a violation of the international obligations imposed by the Geneva Convention upon its members, and if found necessary to take such measures as might be deemed desirable to prevent a repetition of an act which is considered unjustified by His Honour.

It is needless to give you the assurance that, not considering the inconvenience and the hardships caused to the personnel of the ambulance and the anxiety to their relations, the wounded on our side as well as on the side of the British troops who have fallen in our hands, have felt very heavily the want of proper medical treatment and medicines.

I have the honour to be etc.

|sg| Blignaut.

Government Secretary.

A. Elliott Esq.

Consular agent etc

Bloemfontein.



T O

G e n e r a l,

C a p e T o w n .

●-:-●-:-●-:-●-:-●-:-●-:-●-:-●-:-●-:-●-:-

**T O**

Statepresident,

## Bloemfontein.

⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮

T O

Statepresident,

## Bloemfontein.

—:—:—:—:—:—:—:—:—:—:—:—:

T o

General,

## Cape Town.

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stehet

Isrene D

O T

I have the honour to be, Sir, your obedient servant,

• n w o T e q s U

30th. November. After the battle at Mudriver the day before yesterday the ambulance with Doctors Voortman and Head of the Ambulance with Doctors Voortman

nothing has been heard of them I will esteem it a favour if you  
their ordinary duties and since then they have not returned as  
Bidwell and Krause went to the battlefield in the execution of

will give me any information regarding the Bloemfontein

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O T

General

2. Statistische

• n w o t e q s v

Bloomington.

Sept. 2nd. No. 387. I beg to acknowledge your Honours wire of 30th

November. I am making enquiries and will communicate result.

: - : - : - : - : - : - : - : - : - : - : - : -

M O R I

O T

Г. А. Р. Е. Н. Е

220912Z

• n . w o T e q s o

Blomfontein.

Doctor referred to accompanied Boer wounded to Cape Town in yesterday. Decbr. No. 232. In continuation of my telegram No. 287. The

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● — ● — ● — ● — ● — ● — ● — ● — ● — ● — ● — ● —

म० १ ७

O T

2nd President

General.

Blomfontein.

Case Town.

Request the favour of an early reply if possible today.

Footman, Kruse, Mangold and Bosman, their assistance and staff.

Missing ever since:- Dr. Ramabottom, Head of Ambulance, Mrs. Bidwell

Doctors who went to the battlefield after wounded, and who have been

are naturally anxious about them. The following are the names of the

and ambulance men, who have not returned, as the wives and relations

information at your earliest convenience regarding all the Doctors

to Cape Town with Boer wounded I would be glad to receive further

day and today. As the latter makes mention of one Doctor, who went

3rd. December. I acknowledge with thanks your telegram of yester-

[illegible]

From  
Statepresident

To  
General,  
Cape Town.

5th. December. Reports continually coming in that Doctors and men under the Red Cross, sent to attend to the wounded, do not return from the battlefield. Will you kindly inform me whether they are detained by the English Officers in command, whether this is done with your knowledge and on what grounds. Apart from the inconvenience to our wounded, caused by the absence of so many medical men, the wives and relatives of the missing men are caused great anxiety. An early answer will be esteemed a favour.

**: - : - : - : - : - : - : - : - : - : - :**

From  
General,  
Cape Town.

T o  
Statepresident,  
B l o e m f o n t e i n .

5th. December. A. B. II5. Honour to inform you that Drs. Ramsbottom, Voortman, Bidwell, Krause and Mangold and 22 attendants arrived here yesterday by train and left again for North last night. Officer commanding most Northerly station has been asked to pass them on to Boer lines.

⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮-⋮



From

State President

General

Cape Town

Bloemfontein

5th December. Reports continually coming in that doctors and men under the Red Cross, sent to attend to the wounded, do not return from the battlefield. Will you kindly inform me whether they are

detained by the English Officers in command, whether this is done with your knowledge and on what grounds. Apart from the inconvenience

~~caused by the absence of so many medical~~

nurses to our wounded, caused by the absence of so many medical

men, the wives and relatives of the missing men are caused great

anxiety. An early answer will be esteemed a favour.

Yours faithfully,

From

State President

Cape Town

5th December. A. R. IIS. Honour to inform you that Mrs. Ramsbottom,

Voortman, Bidwell, Krause and Mangold and 22 attendants arrived here

yesterday by train and left again for North last night. Officer com-

manding most Northerly station has been asked to pass them on to Boer

lines.

Yours faithfully,



From  
ate President,  
loemfontein,

T o  
General Commanding Bri-  
ces, Cape Town.

8th. December. Have honour to thank you for your telegram 5th. instant A. B. II5. The Doctors therein mentioned have arrived at Jacobsdal. Dr. Ramsbottom chief of Ambulance Department working under Red Cross reports ~~per-tel~~ by telegram yesterday evening from Jacobsdal, translated, begins:- I have further to report to your Honour that all our ambulance wagons and appliances have been taken by the British as loot notwithstanding the fact that I made it clear that the Orange Free State is one of the parties to the Geneva Convention ends. I must emphatically protest against the ~~tr~~ treatment complained of as being contrary to all civilized usages. I must request that the ambulance wagon material and appliances taken with them be returned to the ambulance ~~under~~ corps under Dr. Ramsbottom without delay. I have ordered Dr. Ramsbottom to come to Bloemfontein to report personally on other matters connected with his detention and treatment by the British military authorities and of which he complains. I shall telegraph further when I have full particulars before me. I am as yet without any explanation as to the reason that caused the Red Cross Ambulance Doctors and staff to be captured and detained by the British authorities.

[illegible]

From	To
General	Statepresident, Bloemfontein,
ape Town, 10th.	Via Lorenzo Marques .

No. 555. Have the honour to acknowledge your telegram of 8th. December and will reply when the representations you make have been fully investigated .

[illegible]

O T

General Commanding Bri-

fish forces, Cape Town.

8th. December. Have honour to thank you for your telegram 5th. in-

stant A. B. Iib. The Doctors therein mentioned have arrived at Ja-

copied. Dr. Ramabottom chief of Ambulance Department working un-

der Red Cross reports ~~war-t~~ by telegram yesterday evening from

Jacobabad, translated, begins:- I have further to report to your

Honour that all our ambulance wagons and appliances have been tak-

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clear that the Orange Free State is one of the parties to the Gene-

vs Convention ends. I must emphatically protest against the

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Bloomfontein to report personally on other matters connected with

his detention and treatment by the British military authorities and

of which he complains. I shall telegraph further when I have full

particulars before me. I am as yet without any explanation as to

the reason that caused the Red Cross Ambulance Doctors and staff to

be captured and detained by the British authorities.

[illegible]

most

OT

Staterepident, Bloomfontein,

I S T E N D

• Mis Lorenzo Mardues.

Capetown, N. W. T.

No. 555. Have the honour to acknowledge your telegram of 8th. Decem-

er and will reply when the representations you make have been fully

- betagittene

$\frac{1}{2} - \frac{1}{3} = \frac{1}{6}$



F r o m

T o

State President

G e n e r a l,

Bloemfontein.

C a p e T o w n .

2th. December. Have honour to acknowledge your telegram of yesterday evening and no promise of reply when matter investigated. Trust there will be no further delay. I beg to notify that four persons alleging to belong to the red cross requested leave to see dead and visit wounded day after battle at Stormberg Junction. Following the rule laid down by your commandoes on all occasions beyond our western border in Griqualand West our Commandants refused permission. I can however assure you that your dead and wounded will receive same treatment from us as our own. Would it not be practicable with a view to alleviate the lot of the wounded on both sides to come to some understanding by which certified red cross men from both camps should be allowed on the battlefield as long as there are any wounded belonging to the forces to which they have been attached and by which generally the manner of giving effect to the terms of the Geneva Convention during the war can be regulated as provided for in paragraph 8 of that Convention, and specially that wounded already being attended to near battlefield in suitable houses under red cross should not be subjected to needless suffering amounting to inhumane treatment by being moved away and obliged to travel when unfit to do so as was the case with some of the wounded burghers both after the Belmont and Rooilaagte battles. Referring to my telegram of the 8th. December and pending the receipt of reply to the questions therein put I beg herewith to send you translated report sent to me by Dr. Ramsbottom, the Chief medical Officer of the Red Cross Ambulance, working on the Western Border, as to the treatment complained of accorded to him and the members of his Corps, when unjustifiably arrested and detained as prisoners by British Officers :- begins, On

12th December. Have honour to acknowledge your telegram of yesterday

evening and no promise of reply when matter investigated. Trust there will be no further delay. I beg to notify that four persons alleging to belong to the red cross requested leave to see dead and visit wounded day after battle at Stormberg Junction. Following the rule laid down by your commandoes on all occasions beyond our western border in Griqualand West our Commandants refused permission. I can however assure you that your dead and wounded will receive same treatment from us as our own. Would it not be practical with a view to alleviate the lot of the wounded on both sides to come to some understanding by which certified red cross men from both camps should be allowed on the battlefield as long as there are any wounded belonging to the forces to which they have been attached and by which generally the manner of giving effect to the terms of the Geneva Convention during the war can be regulated as provided for in paragraph 8 of that Convention, and especially that wounded already being attended to near battlefield in suitable houses under red cross should not be subjected to needless suffering amounting to inhuman treatment by being moved away and obliged to travel when unfit to do so as was the case with some of the wounded burghers both after the Belmont and Rooiberg battles. Referring to my telegram of the 8th December and pending the receipt of reply to the questions therein put I beg herewith to send you translated report sent to me by Dr. Ramsbottom, the Chief Medical Officer of the Red Cross Ambulance, working on the Western Border, as to the treatment complained of accorded to him and the members of his Corps, when unjustifiably arrested and detained as prisoners by British Officers: - begins, On



On Teusday, 28th. November I was ordered by General Cronje to proceed with the ambulance to the Battlefield as the Englisg had been repulsed. I tried to carry out this order, but when we app-  
proached the station, the canonnading was so fierce that we could not go any further. Early on the following morning, we went th-  
ther, and at first found no troops there. I divided my ambulance in two portions, as there were two houses containing wounded. The one division I left with Doctor Krause at the Drift Hospital, and with the other I proceeded to the Island Bridge Hospital. When we were busy attending to the wounded, two British Officers arrived, and one of them, Major Benson, of the 9th. Lancers, gave us no-  
tice that we had to consider the wounded as prisoners of war, but he said the ambulance people were at liberty to go about and do their work. When we had completed our work at the Island Bridge, I went with Dr. Bidwell to the Drift Hospital, to see whether Dr. Krause had also finished his. There we were given notice that all the doctors and ambulance men were also to be considered as pri-  
soners of war, whereupon I wrote to the Officer commanding, asking him to supply us with passports, to enable us to go further with our ambulance, at the same time I informed him that the Free State had signed the Geneva Convention, and that I would be very much obliged if he would let me go soon, as there were sudd suffering wounded awaiting us at Jacobsdal. I received no reply. About 2 p.  
m. I wrote him a second letter, asking him for rations, as we, and even our wounded were without food. To this I received no reply. At about 4 o'clock one of Major Remington,s scouts came to me and asked me to go with him to Major Reid. I went with him to the Major before whom the said scout identified me as Dr. Ramsbottom of Bloemfontein. The scout,s name is Supple, and he is, I believe, a Lieutenant with Remington,s scouts. He was foemally in the Railway service at Bloemfontein. After a long interview with Major Reid, the latter said he could not take it upon himself to let us go, but that he would speak to the General and convey his orders to me ear-  
ly next morning. That evening we had to sleep without blankets in a wagonhouse, in which turkeys and hens were harching, and which was literally alive with vermon. The doors were blocked with stones and an  
and-armed-g guard stood around. and an armed guard stood around.



On Tuesday, 28th November I was ordered by General Cronje to proceed with the ambulance to the Battlefield as the English had been repulsed. I tried to carry out this order, but when we approached the station, the commanding was so fierce that we could not go any further. Early on the following morning, we went there, and at first found no troops there. I divided my ambulance in two portions, as there were two houses containing wounded. The one division I left with Doctor Krause at the Drift Hospital, and with the other I proceeded to the Island Bridge Hospital. When we were busy attending to the wounded, two British Officers arrived, and one of them, Major Benson, of the 9th Lancers, gave us notice that we had to consider the wounded as prisoners of war, but he said the ambulance people were at liberty to go about and do their work. When we had completed our work at the Island Bridge, I went with Dr. Bidwell to the Drift Hospital, to see whether Dr. Krause had also finished his. There we were given notice that all the doctors and ambulance men were also to be considered as prisoners of war, whereupon I wrote to the Officer commanding, asking him to supply us with passports, to enable us to go further with our ambulance, at the same time I informed him that the Free State had signed the Geneva Convention, and that I would be very much obliged if he would let me go soon, as there were ~~and~~ suffering wounded awaiting us at Jacobabad. I received no reply. About 2 p.m. I wrote him a second letter, asking him for rations, as we, and even our wounded were without food. To this I received no reply. At about 4 o'clock one of Major Remington's scouts came to me and asked me to go with him to Major Reid. I went with him to the Major before whom the said scout identified me as Dr. Ramsbottom of Bloemfontein. The scout's name is Supple, and he is, I believe, a lieutenant with Remington's scouts. He was formally in the Railway service at Bloemfontein. After a long interview with Major Reid, the latter said he could not take it upon himself to let us go, but that he would speak to the General and convey his orders to me early next morning. That evening we had to sleep without blankets in a wagonhouse, in which turkeys and hens were hatching, and which was literally alive with vermin. The doors were blocked with stones and an armed guard stood around.

The next morning (Thursday) we got a little food from our own wagon, and at about 2 p. m. we obtained food from the English. At 3 o'clock one of the British Doctors - I believe that he is Surgeon Major Bradshaw, and that he is one of the Staff Officers - came and said that we had to be ready ~~at~~-4 to leave at 4 o'clock for Cape Town. I asked him: - "Am I to understand well that the personal of a duly appointed ambulance of a State which takes part in the Geneva Convention, can be made prisoners of war when they are attending the wounded." He replied in the affirmative. To my question whether under the same circumstances the ambulance would be seized as booty, he also replied "yes". I did not exchange another word with him. We did not leave that evening, but left the next morning (Friday). Before we left I met Captain Ross, who is Provost Marshall of the Staff. I told him that in my opinion the treatment accorded to us was altogether illegal and contrary to the Geneva Convention. From ~~Mond~~erriver to Orange River we were conveyed, together with the wounded in Cattle Trucks. From Orange River to the Aar in Third Class carriages. At De Aar we were kept the whole day in the prison with the prisoners. The place was alive with bugs and other insects. Our coffee was brought to us in buckets and bread in a bag. From De Aar we again travelled in cattle trucks, which had not been cleaned, although there were standing at least ten passenger coaches without a single passenger in them. Armed guards accompanied us in the trucks, and their orders were: "not on any account to allow any one of them out of the truck and to stand no nonsense of any kind from them." Happily for us the guards accompanying were more civilized than the Officer who gave the order. We arrived at Cape Town on Monday at 12 . 30 p. m. and were immediately sent to the "New Military Hospital", Breakwater. There we were informed it was all a great mistake and that we should be sent back as soon as possible. Dr. Mangold and myself had then to make a sworn declaration that our men were serving in the ambulance and carried no arms. That same evening at 9 o'clock we left Cape Town, the Doctors in first class the men in third class carriages. Food was provided at Matjesfontein, Fraserburg Road and Victoria West. On the journey to the Cape we received as



road and Victoria West. On the journey to the Cape we received as class carriages. Food was provided at Matjiesfontein, Fraserburg we left Cape Town, the Doctors in first class the men in third the ambulance and carried no arms. That same evening at 9 o'clock had then to make a sworn declaration that our men were serving in should be sent back as soon as possible. Mr. Mangold and myself there we were informed it was all a great mistake and that we were immediately sent to the "New Military Hospital", Breakwater. We arrived at Cape Town on Monday at 12.30 p.m. and the order. Guards accompanying were more civilized than the Officer who gave to stand no nonsense of any kind from them." Happily for us the "not on any account to allow any one of them out of the truck and Armed guards accompanied us in the trucks, and their orders were: at least ten passenger coaches without a single passenger in them. trucks, which had not been cleaned, although there were standing ets and bread in a bag. From De Aar we again travelled in cattle with bugs and other insects. Our coffee was brought to us in buck- the whole day in the prison with the prisoners. The place was alive River to the Aar in Third Class carriages. At De Aar we were kept veyed, together with the wounded in Cattle Trucks. From Orange Geneva Convention. From Monrovia River to Orange River we were con- treatment accorded to us was altogether illegal and contrary to the Provost Marshall of the Staff. I told him that in my opinion the next morning (Friday). Before we left I met Captain Ross, who is ther word with him. We did not leave that evening, but left the be seized as booty, he also replied "yes". I did not exchange any- question whether under the same circumstances the ambulance would are attending the wounded." He replied in the affirmative. To my in the Geneva Convention, can be made prisoners of war when they personal of a duly appointed ambulance of a State which takes part for Cape Town. I asked him: - "Am I to understand well that the came and said that we had to be ready at 4 o'clock to leave at 4 o'clock. Genon Major Bradshaw, and that he is one of the Staff Officers - 5 o'clock one of the British Doctors - I believe that he is sur- wagon, and at about 2 p.m. we obtained food from the English. At The next morning (Thursday) we got a little food from our own



rations nothing but bread once a day besides coffee and tinned beef.

At some places we were allowed to buy our own food. We returned to Modderivier, Captain Ross came to us once more. We asked him to give up our wagons and material, but he replied that he had received instructions not to give them up,. From Modderriver, we had to walk with our baggage on our backs to find our burghers who conveyed us in wagons and carts to Jacobsdal.

[illegible]

[illegible]

T e l e g r a m.

~~W-a-n~~ F r o m

T O

General.

Statepresident.

C a p e T o w n .

B l o e m f o n t e i n .

23rd. December. E. 4. In reply to your Honour's telegram of the 12 instant every inquiry has been made and nothing more can be done in the matter of the Ambulance, which we detained at Modderivier. The Doctors, attendants and Ambulance having been returned to the burgher lines,. I trust Your Honour will agree to the incident being closed. As to the general question of mutual regulations under Article 8 of the Geneva Convention, whilst allowing that an understanding on the subject is desirable, I consider arrangements can only be arrived at between commanders of opposing forces on the spot, As long as alleged contravention of the convention by the burgher forces continue, such as troops taking shelter near Red Cross Ambulance during an engagement, Red Cross Attendants joining in the fight etc.,. Prisoners whether wounded or unwounded have invariably been treated as well as our own men.

**: - : - : - : - : - : - : - : - : - : - : - : - : - : - : - : - : - : - :**

T e l e g r a m

F r o m

T O

Statepresident

G e n e r a l ,

B l o e m f o n t e i n .

C a p e   T o w n .

26th. December. I have the honour to acknowledge your telegram of the 25rd. While thanking you for trouble taken by you in investigation, I regret your desire to consider incident closed, since several Ambulance conveyances also mules and horses and a number of medical and surgical appliances taken by British forces have not yet been returned to Red Cross Ambulance, working with us.

:-:-:-:-:~~~~~:-:-:-:-:-



• m s r g e l e T

III O T T H-O-H

O T

2. Staterepresent

1. Interpretation

Cardene Town. Bionefield

33rd December, B. 4. In reply to your Honour, a telegram of the 12

infant every industry has been made and nothing more can be done

in the matter of the Ambulance, which we detained at Modderivier.

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der Article 8 of the Geneva Convention, whilst allowing that an un-

Understanding on the subject is desirable. I consider arrangements

can only be arrived at between commanders of opposing forces on the

As long as alleged contravention of the convention by the

burgher forces continue, such as troops taking shelter near Red

Cross Ambulance during an engagement. Red Cross Attendants joining

in the fight etc...Prisoners whether wounded or unwounded have in-

variously been treated as well as our own men.

• • • • •

m s r g e l e t

III OCT 7

O T

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G e n e r a l

Р l o e m f o n y e i n . C a p e T o w n .

Setn. December. I have the honour to acknowledge your telegram of

the Lord. While thanking you for trouble taken by you in investi-

ation. I regret your desire to consider incident closed, since se-

versal Ambulance conveyances also mules and horses and a number of

medical and surgical appliances taken by British forces have not

yet been returned to Red Cross Ambulance. working with us.

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No. 108.

*Cens. Bureau  
Forward Letter &  
so ack -*

Consulate of the United States, Pretoria, S.A.R.,

January 15th, 1900. 7489 .

Mr. W. Stanley Hollis,

To the Department of State.

MAR 9 1900

Subject:

David Fraser.

*Letter forwarded  
Cens  
Mch 12  
1900*

Abstract of Contents.

David Fraser, mentioned in Department instruction No. 59, of Nov. 11th, 1899, is all right.



No. 108.

Consulate of the United States, Pretoria, S.A.R.

January, 15th, 1900. ~~-189-~~

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

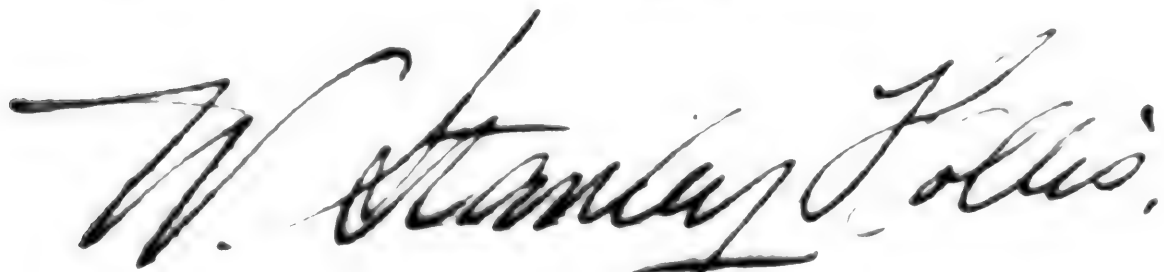
I have the honor to acknowledge the receipt of Department instruction No. 59, of Nov. 11th, 1899, relating to Mr. David Fraser.

I have seen Mr. Fraser. He is well, and is now residing at the corner of Kock and Proes Streets, in this city. His Post Office Box address, is No. 1029.

I herewith enclose a letter from him, addressed to his mother.

I have the honor to be, sir,

Your obedient servant,



United States Consul.

Enclosure:- Letter to mother of David. Fraser.





No. 109.



Consulate of the United States, Pretoria, Z.A.R.,

January 19, 1900.

~~189~~

Mr. W. Stanley Hollis,

To the Department of State.

Subject:

The affairs of Messrs. Fraser & Chalmers.



✓ Ack'd (to Adm. S. Hay)  
May 28, 1900.

Abstract of Contents.

Ans  
Mch 6  
1901

Reporting that the above mentioned firm is practically a  
British corporation.

Consular Agent Gordon has made enquiries in this matter  
and has reported as above.



No. 108.

*Cens. Bureau  
Forward letter &  
so ack -*

Consulate of the United States, Pretoria, S.A.R.,

January 15th, 1900. ~~1899~~

Mr. W. Stanley Hollis,

To the Department of State.

MAR 9 1900

Subject:

David Fraser.

*Letter forwarded  
Cens  
Mch 12  
1900*

Abstract of Contents.

David Fraser, mentioned in Department instruction No. 59, of Nov. 11th, 1899, is all right.

THE POST

Design Patent, Dec. 24-1917.



NUMBER

F45NV

From

Secs

Sail

755P

No In  
be obtai



Pretoria,

AL COMPANY'S SYSTEM REACHES ALL IMPORTANT POINTS IN THE UNITED STATES AND BRITISH AMERICA, AND BY CABLES TO ALL THE WORLD.

FORM 20.

# CABLEGRAM.

## POSTAL TELEGRAPH-CABLE COMPANY.

This Company transmits and delivers CABLEGRAMS subject to the terms and conditions printed on the back of this blank.

WILLIAM H. BAKER, V. P. & Gen'l Manager.

JOHN O. STEVENS, Secretary.

ALBERT B. CHANDLER, President.



SENT BY REC'D BY

CHECK

181

Fr D 7

Paris via French Jan 26-00.

Received at

1345 PENNA. AVE.

(WHERE ANY REPLY SHOULD BE SENT.)



ate,

Washington.

tomorrow StPaul.

Macrum.

To Pretoria  
Jan 30  
1900

Any respecting this message can be attended to without the production of this paper. Repetitions of doubtful words should be made through the Company's offices, and not by DIRECT application to the sender.



Mr Bureau

No. 111.

Consulate of the United States, Pretoria, Z.A.R.,

February 1, 1900, ~~189~~ .

Mr. W. Stanley Hollis,

To the Department of State.



Subject:

English Arming and Drafting Natives.

*Ackd*

*Apr 7*

*1900*

Abstract of Contents.

Transmitting a copy of a letter that I have received from  
Morris Pieters, and which relates to the above subject.





No. 111.

Consulate of the United States, Pretoria, Z.A.R.,

February 1, 1900. , 1899--.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's acknowledgment of the receipt of Consul Macrum's despatch No. 73, and relating to the arming and drafting of the natives by the British.

In this connection I have the honor to transmit to the Department a copy of a letter that I have received from Mr. Morris Pieters and which relates to the subject of the previous despatch just mentioned.

I have the honor to be,

Sir,

Your obedient servant.

*W. Stanley Hallis*  
United States Consul.

Enclosure: Letter from Morris Pieters. Dec. 12, 1899.

The following facts are likely to be of importance to you as the murdered persons are American citizens: the woman by birth and the man, Esidor Pieters, by naturalization, having lived in America from nine to twelve years. The child, Annie Pieters, was born in New York.

I was on my way from Pauls Poort to Gerde Poort with a wagon of supplies when I received news that the natives had crossed the border, killed all white people and burned their houses. I rode rapidly to my brother's shop and found that he was missing, his wife was murdered and his little daughter had been taken prisoner along with six women. My brother's kafir boy was still on the place and from him I gathered the following details.

On Saturday morning  
Life, the kafir boy, rose

early, hearing firing outside he looked out to see what was wrong. He saw the kitchen boy sitting outside wounded in the leg, a strange native standing near, raised a rifle and fired at Life, who shut the door immediately and went to his Master's room: there he found that Mrs. Pieters had been murdered. He helped Mr. Pieters to escape to the British Protectorate and then returned and took the child, Ranie, to a neighbor from whose house she was taken prisoner. When Life returned to his Master's shop he found the Kafir were removing every thing of value to a bush near by, he did all in his power to restrain them, even going to the chiefs Lamona and Segale to ask aid, the only answer he received was the Indumars were very sorry but could <sup>do</sup> nothing. When he reached home again, he asked

that he might remove the body of his mistress before the house was burned. He was not allowed to do this, and the body of my sister-in-law was burned.

At the time of writing I am uncertain as to the fate of my brother since he has not been seen since he tried to escape to the Protectorate.

Gerdepoort is divided by the Marico River from Diegnani British Protectorate, which is Linchwe's territory. The tribe is called Baleathla. During the present war Linchwe has promised to remain neutral, has visited the Transvaal Laagers and restored all stray cattle, and women and children have been perfectly safe in his country, until this said war organized. I have lived among these natives for ten years and have been on friendly terms with them.



the whole time. I write on the  
half of Annie Pieters, an American  
citizen and would ask  
that you place the matter  
before your Government.

(signed) Morris Pieters.

Pauls Poort,

Diet Rustenburg.

Dec 12<sup>th</sup>, 1899.

*Cons Bureau.*  
*File*

No. 112.

Consulate of the United States, Pretoria. Z.A.R.,

February 1, 1900.---189-.

Mr. W. Stanley Hollis,

To the Department of State.

FILE



Subject:

American Medical Colleges.

*Abstract of Contents.*

Acknowledging the receipt of the Department's instruction  
No. 4, of December 9, 1899, relating to lists of American  
Medical Colleges.

*Dep. Bureau  
Cons. Bureau  
McKerrey*

No. 113.

FILED  
FEB 5 1900

Consulate of the United States, Pretoria. Z.A.R.,

February 1, 1900. , 189 .

Mr. W. Stanley Hollis,

To the Department of State.

*J. L. Linn  
Apr. 5*



Subject:

Money for British Prisoner.

Abstract of Contents.

Reporting that the sum of \$48.73, less loss by exchange,  
has been paid to Lieutenant Grimshaw.

No. 113.

Consulate of the United States, Pretoria, Z.A.R.,

February 1, 1900., ~~489~~--.

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honor to report that the instruction No. 60, of November 24th. 1899. addressed to Consul Macrum by Honorable John Hay. and relating . in part. to the payment of \$48.73 to Lieutenant Cecil T.W. Grimshaw, was received at this Consulate yesterday.

In reply I have the honor to advise you that I have this day sent to Lieutenant Grimshaw a check for Pounds 9-2-9, the net value of \$48.73 at the present rate of exchange, which is 45 pence @ \$1.00. This high rate is in consequence of the present war.

As instructed I have this day drawn upon the Secretary of State a draft , No. 2, for \$48.73, and in favor of Messrs. McIntosh, Findlay & Co.

The account and receipts will be transmitted later.

I have the honor to be,

Sir,

Your obedient servant,

*W. Stanley Hallis*  
*V. V. Consul.*



*Ans Bureau*

No. 114.

Consulate of the United States, Pretoria, Z.A.R.,

February 2, 1900. ~~189~~

2D ASSISTANT SECRETARY,

*To Brit Ambassador  
April 9. 1900*

Mr. W. Stanley Hollis,

*Ack.* APR 9 1900

To the Department of State.



Subject:

British Interests and British Prisoners.

*Ack.  
Apr  
19*

Abstract of Contents.

Reporting that I have come to an understanding with this Government upon the matter of the relations of the United States Consul at Pretoria towards British interests and towards British prisoners of war.

Office of the  
Third Assistant Secretary.

Dear Mr. Secretary:

You note No 60 of  
99 to Mr Macrum enclosed  
copy of this note from the British  
Ambassador (Nov. 22. 99) and copy  
of Mr Charter's despatch No  
204 of Nov. 15, 1899. Relative to  
a money payment to British  
prisoners (Lt. Cecil C. R. Grim-  
shaw, Royal Dublin Fusiliers)  
It amounted to \$48.73 & is  
covered by Mr Hall's No 112 of  
Feb. 1. 1900. Showing that he  
has sent a check to Lt. Grim-  
shaw for the equivalent



Office of the  
Third Assistant Secretary.

in English currency and drawn  
for the amount upon the  
Dept as instructed -

Copy of Mr. Hollis' No 113  
will be sent to Mr. Choate  
referring to his despatch -

This explains the features  
of the transaction and leaves  
only the British Ambassadors  
note for your consideration  
in case you wish to make  
any communication to him  
founded on Mr. Hollis'  
No 114.

Truly  
Yours

No. 114.

Consulate of the United States, Pretoria, Z.A.R.,

February 2, 1900.

~~=189=~~

Honorable David J. Hill,

Assistant Secretary of State,

Washington, D. C.

Sir:

Replying to the instruction from Honorable John Hay , dated November 24th. last. and numbered 60, I have the honor to report as follows:-

I have had a number of conferences with the State Secretary and with the Secretary of Foreign Affairs in relation to my attitude towards British interests and towards British prisoners of war in this country.

I have learned from many official and consular sources that the late British Agent at this Capital was always a thorn in the side of this Government, and that he is, in part, responsible for this present war.

Such being the case, this Government has a strong aversion towards recognizing anyone who may claim to act as a British Agent.

The State Secretary said to me: "We got rid of the "British Agent on the 11th of October, last, and, God "willing, we will never have another one here."

On the other hand this Government fully expects.

when



expects.

when this present war is over, to receive a British Minister and British Consuls; but it will not receive any more British Agents.

When I thoroughly understood the situation and the views of this Government thereon, I wrote to the State Secretary and gave him an expression of the views of his Government, as I understood them.

Copies of my letter, and of the State Secretary's reply thereto, are herewith enclosed.

I also enclose copies of a telegram that I have received from the Press Censor, at Durban, Natal, and of my reply thereto.

In this connection I have the honor to refer to my despatch No. 105, of January 5, 1900, which, together with this present despatch, and its enclosures, will, I trust, give you a clear idea of my relations with this Government.

I have thus endeavored to come to a clear, friendly, and satisfactory understanding upon these matters with the Government of the South African Republic, and trust that my action in so doing will meet with your approval.

I respectfully request that your acknowledgment of this despatch be sent to me at Lourenco Marquez.

I have the honor to be,

Sir.

Your obedient servant,

*W. Stanley Halli, U.S. Consul.*

No. 114.

Pretoria, Z.A.R., February 2, 1900.

List of enclosures:

Mr. Hollis, to State Secretary Reitz, No. 194, Jan. 31, 1900.

State Secretary Reitz, to Mr. Hollis, No. 137, Feb. 2, 1900.

Press Censor, Natal, to Mr. Hollis, telegram, Feb. 1, 1900.

Mr. Hollis, to Press Censor, Natal, No. 225, do., Feb. 2, 1900.

Copy.  
Consulate of the United States of America  
Pretoria, January 1, 1900

Honorable F. W. Reitz  
State Secretary.  
Pretoria, T. A. R.

Dear Sir

I have the honor to refer to our conversation of this morning in which I stated to you that my Government had instructed me to call your attention to its views, and to the views of Lord Salisbury, upon the subject of the attitude of the United States Consul at this Capital in relation to British interests and to the British prisoners of war.

In this conversation I communicated to you the substance of the communication, with its enclosures, that I had received from my Government, and you, in turn, communicated to me your views in the matter.

It thus seems that the present time is an excellent one in which we can come to a mutual understanding in this matter

matter.

As I understand it the views of your Government in this matter are as follows:

1. The Government of the South African Republic objects to recognizing the United States (or any other) Consular Officer as the official representative of the British Government during this present war.

2. The Government of the South African Republic objects to the transmission by the United States Consul of-

- a. - Official communications from the British Government and addressed to the Government of the South African Republic.

b. Official communications from the British Government and addressed to British prisoners here.

- c. - Monies or funds sent by the British Government to British prisoners here.

On the other hand I understand that the Government of the South African Republic will have no objection to the performance, by the United States Consul at this Capital, of the



of the

of the following services on behalf of the British prisoners of war and their friends:

1. The forwarding of letters and papers sent by friends or relatives of the prisoners.
2. The distribution of funds (under the supervision of the War Office of the South African Republic) sent to the British prisoners by their friends and relatives.

Provided, that these services are reciprocal and that the Government of the South African Republic will have the right to request the similar services of the United States Consular officers in the British Possessions and on behalf of the Boer and Afrikaner prisoners of war that are now in the hands of the British authorities.

I further understand that the Government of the South African Republic reserves to itself the right to revoke any, or all of the privileges to receive letters, money, and parcels now enjoyed by the British prisoners of war in this Republic, and that the fact that Boer or Afrikaner prisoners of war in the

in the

the hands of the British authorities are not receiving kind and humane treatment, or are denied privileges similar to the privileges now allowed to British prisoners of war in the South African Republic, will, if proven to your satisfaction, be deemed sufficient cause and reason for such action on the part of your Honorable Government.

Assuring you of my high consideration and esteem, and venturing to hope for an early reply, I have the honor to be,

Dear Sir, Your obedient servant  
W. Stanley Hallis,  
United States Consul.

Departement van Buitentandse Zaken  
Gouvernement Natal

5734/99

Pretoria 2. Februar 1900

137/00

Medelgesterne Heer

Ik heb de eer de  
ontvangst te erkennen van uwe Missive nr 194  
dd 31. Januari j.l., waarin Udgeste, overgeeft  
den inhoud van ons gesprek van dienzelfden  
dag inzake het standpunt door deze Regering  
ingenomen betreffende uwe waarneming van  
Britische belangen en die der Britische krijgs-  
gevangenen in deze Republiek.

Met genoegen zie ik dat standpunt in uwe  
Missive onder beantwoording geheel juist weer-  
gegeven. Het is de gedragelyk in overeenstemming  
waarvan deze Regering zich steeds heeft en zal  
blyven gedragen.

Verblyvende met gevoelens van byzondere  
hoogachting.

Udgeste. dw. dienaar

F. W. Reitz

Staatssecretaris

Den Medelgesterne Heer

W. Stanley Hollis

Consul van de Vereenigde Staten van N. Amerika  
Pretoria.



Departement van Buitenlandsche Zaken.

Gouvernements Kantoor.

PRETORIA, 2 Februar 1900.

Translation.

Dear Sir,

I have the honour to acknowledge the receipt of your letter No. 194 dated January 31. 1900, in which you state the substance of the conversation between us of that date concerning the views held by this Government in relation to your taking charge of British interests and those of British prisoners of war in this Republic.

I note with pleasure that the view adopted by this Government has been stated with perfect correctness in your letter under reply.

That is the attitude in accordance with which this Government has acted and will continue to act.

Assuring you of my high consideration and esteem,

Your obedient servant.

( sigd. ) F. W. Reitz.

Statesecretary.

To

Honourable W. Stanley Hollis.

U. S. Consul.

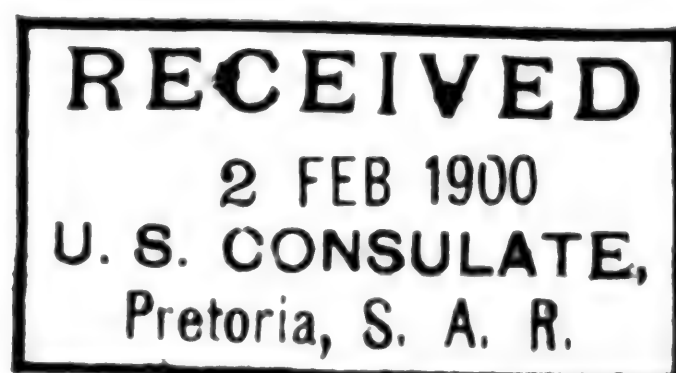
PRETORIA.



*Copy of Telegram*

" from *to*  
*Press censor United States Consul*  
*Durban Pretoria*  
*124. Feb. 1.*

*Please say if prisoners are  
allowed to receive parcels tobacco other  
things are they allowed newspapers. "*



Copy of a telegram sent from the United States Consulate  
at Pretoria, to the Press Censor, at Durban, Natel.

Hollis, American Consul, To Press Censor,  
Durban.

Yes if sent by their friends and through this  
Consulate.

UNITED STATES CONSULATE,  
PRETORIA, S. A. R.

February 2, 1900.

*W. Stanley Hollis,*  
*J. V. Cousins*

Conf Bureau

99

Confirm

TELEGRAM RECEIVED.

From

Pretoria

Feb 8, 1900

Received 3.50 P.M.

Confirmed  
Feb 10, 1900



#  
C. 8/1000  
Feb 8, 1900  
H  
p.m.

Sec State,

Ed Dasher,

Legation granted  
Wednesday Everything  
Satisfactory  
American Consul





No. 4  
J.

Ans. Bureau

Consulate of the United States,

Pretoria S. A. R. Feby 11<sup>th</sup>, 1900

Mr. Hay

To the Department of State.



Subject:

Arrival at Pretoria

Ans. Apr.

Abstract of Contents.

Arrival at Pretoria, granting  
of exequatur, condition of affairs  
and status of United States Consul

No. 4

Consulate of the United States,

Pretoria, S. A. R. Feby 10 1900

Honorable David J. Hill -

Assistant Secretary of State,

Washington, D. C.

Sir:

I have the honour to report that I arrived at my post at Pretoria, via Delagoa Bay, on Saturday February 3<sup>rd</sup>, having proceeded with all possible dispatch from Washington. I presented my credentials and was officially introduced to the State Secretary, Mr. F. W. Reitz, on Monday Feby 5<sup>th</sup>, having met him and talked with him unofficially on the day before.

On February 6<sup>th</sup> my exequatur was granted and on that evening the State Secretary gave an official dinner in my honour at which were present, most of the members of the Government and the foreign Consuls.

On

On Friday, the 9<sup>th</sup> inst., I was presented to the President of the Republic and in the course of the conversation I assured him of the friendliness of the United States, which seemed to please him.

Before my arrival, the local papers published articles, saying that I was coming with a strong English sentiment and that I had received my instructions from London. So I came looked upon as an enemy and with suspicion, but I am glad to say that I have been able to change that opinion and now, convinced of my neutrality, every official with whom I have any dealings, shows me every courtesy and assistance,

At present there are few visible signs of a war at Pretoria save for the occasional commandoes, passing through to the front and the large number of shops and houses which are closed.

The



The country's grain supply for the year is very large, in fact the crops are almost unprecedented; not only has the weather been most propitious, but the Kaffirs, who were thrown out of employment in the towns, returned to their kraals and planted and worked their cornfields to great advantage. The women of the country have taken charge of the farms and their endeavors have been well rewarded.

Other provisions are very high in price but there is no noticeable scarcity of anything but coffee and sugar.

The exigencies of the war have developed new industries in a surprising fashion: In the shops of the Netherlands South African Railway, they have successfully repaired the Creusot-gun "Long Tom", which was wrecked with dynamite by the English, and now they are engaged in manufacturing new guns which



which promise to be successful. They have, for some time past, been manufacturing ammunition and I have learned, from a reliable source, that they will have completed a large number of hydride shells in a short time.

Although almost every male citizen is serving against the British, there is a lack of resentment and personal feeling against the enemy, which is surprising in a people so little cultured as this. There are no demonstrations nor unpleasant occurrences when British prisoners are brought in and in the field in Town one hears nothing but sympathy for the British losses.

The Government seems hopeful, but not confident, of success and the general opinion seems to be that every foot of ground to Pretoria will be strongly  
contested

unless a peace, very advantageous  
to the Republic is obtained.

My time is chiefly taken up with  
services for the prisoners of war and  
British property owners and residents.  
The grievances of the American  
residents being comparatively few.

The Republican Government  
refuses to recognize me as represent-  
-ing the British Government in  
an official way, and allows no  
protest in such a capacity, but  
it allows me to make personal  
investigation and representation  
and aids me in many such  
cases.

My position here in connection  
with British affairs is a hard  
one to define as I can find no  
specific instructions from the  
Department of State on the subject  
and none from the Government  
of the South African Republic —

The only thing I have to  
refer to is a statement of the  
position



position of this Consulate drawn up by my predecessor and assented to by the Government here as being in every way favourable to it.

However, I am using my own discretion in regard to many things and hope I may do what is right.

I have the honour to be,

Sir,

Your obedient servant

Adelbert B. Hay

United States Consul

I have learned later that the agreement, drawn up by Mr Hollis and assented to by The State Secretary, is dated Jan 31, and no understanding existed till then. I mention this as I think the statement re our status should not have been expounded by a United States Consul whose object seemed to be to avoid any service or friendliness to the British Government.

Comp. C

12 M

TELEGRAM RECEIVED.

20 York

By sent  
British Ambassador  
Feb 16. 1900

From

Pretoria

Feb 16

9.00

Received 3.30 P.M.



Sec State

Alaska

burpin

Cont'd  
Feb 23  
1900

Major Carlton Captain's  
Emslie Hicks and Freeth  
prisoners here nothing  
known yet of Ellis or  
Galbraith  
American Consul



~~Ant Bureau~~ ~~Confirm~~  
8 York

TELEGRAM RECEIVED.

1 wa

From

Pretoria

Feb 27, 1900

Received 9<sup>46</sup> A.M.

Tec State

Wash

✓ Follow up  
Feb 27

FEB 27 1900

Reichman Attache arrived

Courteously received

Amer Consul

Confirmed  
Mar 1  
1900

TELEGRAM RECEIVED.

31 900

O.C.  
Mar. 3, 1900  
2 P.M.



Letter to Bureau  
March 3, 1900

Pretoria

Mar 3

1900

Received

1 54 P.M.

Sec State

Wash.

Doctor Caldwell not Commanded

arrested during service trying

Cross to English lines charged

attempted desertion purpose giving

information. Pleaded guilty first:

found guilty both: proceedings

fair. imprisoned Potchefstroom

Amer Consul

U.S. STATE

2-9 3.24 AM 1900

U.S. OFFICE

TELEGRAM RECEIVED.

Cable Bureau  
209

3m

From Pretoria

Mar 8 1900,  
Received 3.22 P.M.

Creditor  
State Dept  
Wash.



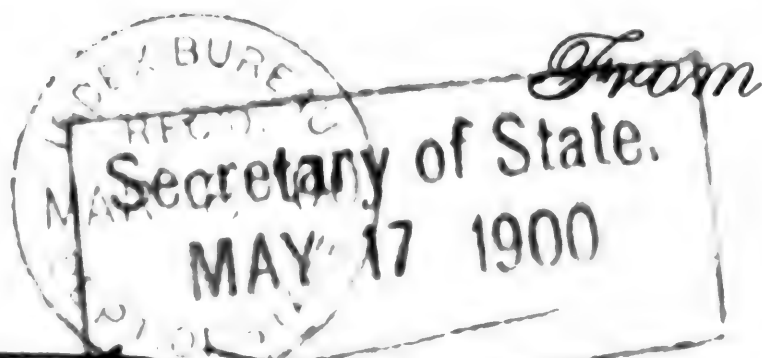
Pitchfordes doing well  
Johannesburg declines  
leave Gordon looking  
out for him and  
Writing Father  
American Consul

Inform Mar. 9. ✓  
Senator Jones ✓  
Senator Perkins ✓  
J. E. Quintero ✓  
March 9. 1900 ✓



TELEGRAM RECEIVED.

139



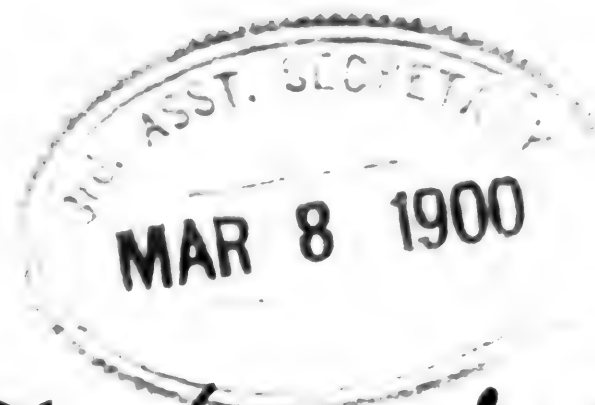
Pretoria  
Mch 8

Received

3, 20

1900  
P.M.

Wash.



Cannot answer yet re  
funds hope soon all  
messages censored  
Americ@nsul

Confirmed MAY 18 1900



(1)

31 Govt

TELEGRAM RECEIVED.

Confirm



From

Pretoria

March 10, 1900.

Received 9:51 P.M.

Sec State

Washn.

I am officially requested by  
Government of Republic  
to urge your intervention  
with view to cessation hostilities  
Similar request made to  
representatives of European  
powers Answer to confirm  
receipt

Americ Consul

ms. C.  
No. 7.

Secretary of State.  
APR 25 1900



Pretoria S.A.R.

March 10 1900

Hon. Thos. W. Cridler

Third Assistant Secretary of State

Washington D.C.

*Letter Dec 19/99 from  
Mr. H. Orth.  
To Mr. Orth & ack by  
from Apr. 26/1900*

Sir:-

I have the honour to acknowledge the receipt of your Nos. 7, 8 & 9, of January 2, 6 & 12. I have made the payments on the Letters Patent enclosed in No. 7 and I herewith enclose the documents together with a letter for Mr. Henry Orth which I beg that you will cause to be handed to him.

In your No. 9 you enclosed a letter from the Goss Printing Co. concerning a press shipped to "Standard and Diggers" at Johannesburg. I beg to inform you that I have put this matter in the hands of the Consular Agent at Johannesburg.

I am, Sir, your obedient servant,

Arthur M. May  
United States Consul

Enclosures:

Letters Patent Nos. 1300, 1301, 1302 & 1303

Letter addressed to Mr. Henry Orth

*20 19-1-10*

*Department of State, U. S. A.*



**OFFICIAL BUSINESS.**

PENALTY FOR PRIVATE USE, \$300.

Consular Bureau.

MEMORANDUM.

Consular Bureau.

APR 25 1900

Mr. Bridger.

I understand  
the Secretary has  
seen this. Is it  
necessary to do more  
than ack. & file?

barr.



Consular Bureau.

MEMORANDUM.

Consular Bureau.

APR 25 1900

Mr. Bridger.

I understand  
the Secretary has  
seen this. Is it  
necessary to do more  
than ack. & file?

barr.



Pretoria S.A.R.

March II, 1900

Hon. David J. Hill

Assistant Secretary of State

Washington D.C.

Sir:-

I have the honour to inform you that on the 9th inst.. The State Secretary called a meeting of the Consuls of the several countries represented in Pretoria and in their presence read a telegram from the Portuguese Government to the Portuguese Consul General here re the transportation of British troops and materials of war through Portuguese territory. He also read a protest addressed to the Consul General from the Government of the South African Republic.

Further he read a note addressed to Lord Salisbury from the Presidents of the Orange Free State and the South African Republic.

He requested the Consuls to convey the information

above-mentioned

(2)

above-mentioned to their respective Governments, therefore I have the honour to transmit herewith translations of two letters addressed to me from the State Secretary, and of the said documents.

I have the honour to be,

Sir,

Your obedient servant

Adelbert H. Hay

United States Consul.

Enclosures:

1. Translation of letter from the State Secretary re correspondence between this Government and the Consul General of Portugal.
2. Translation of letter from the State Secretary re letter to Lord Salisbury and request for intervention.
3. Memorandum from the Portuguese Consul General and protest from the Government of the South African Republic.
4. Translation of cablegram from the Presidents of the two Republics to Lord Salisbury re cessation of hostilities.

TRANSLATION

Department of Foreign Affairs

Pretoria, S.A.R.

March 9, 1900

Adelbert S. Hay

etc, etc, etc,

Sir:-

I have the honour to enclose herewith the copy of a cablegram, from the President of this Republic and the President of the Orange Free State sent, on the 5th inst., to His Excellency Lord Salisbury.

In connection with the above, I further have the honour to beg for your assistance in requesting your Government to grant its intervention in the present strife to prevent further unnecessary bloodshed in this cruel war and to try to obtain a peace on a basis acceptable to both parties at war.

I should be very glad if you will convey the above by cable to your Government as a favour to this Government.

A similar request has been made by this Government to the representatives of France, Germany, Russia, Italy, Belgium and Holland.

I have etc.

F.W. Peitz

State Secretary



TRANSLATION

Department of Foreign Affairs

Protoria, S.A.P.

March 9, 1900

Adelbert S. May

etc. etc. etc.

Sir:-

I have the honour to enclose herewith the copy of a cablegram, from the President of this Republic and the President of the Orange Free State sent on the 5th inst., to His Excellency Lord Salisbury.

In connection with the above, I further have the honour to beg for your assistance in requesting your Government to grant its intervention in the present strife to prevent further unnecessary bloodshed in this cruel war and to try to obtain peace on a basis acceptable to both parties at war.

I should be very glad if you will convey the above by cable to your Government as a favour to this Government. A similar request has been made by this Government to the representatives of France, Germany, Russia, Italy, Belgium and Holland.

I have etc.

F. W. Feltz

State Secretary

Letter from the State Secretary to the Secretary of the State

TRANSLATION

Department of Foreign Affairs

Pretoria S.A.B.

March 9th 1900

Adelbert S. Hay

etc., etc., etc.,

Sir:-

I have the honour to inform you that I have been officially notified by the Hon. D. Cinatti, Consul General and Chargé d'affaires of Portugal, that the Portuguese Government has accorded to England the privilege of landing at Beira and transporting over Portuguese territory, troops and munitions of war. Through this act the Portuguese Government has abandoned the attitude of neutrality thus far maintained, and, as a matter of fact, has allied herself to Great Britain and Ireland against us.

A protest against this act has been lodged by this Government with the Portuguese Government

I shall be very glad if you will communicate this to your Government and I herewith enclose copies of the Consul General and the reply of this Republic.

I further beg to call your attention to the fact that as the 6th Article of the public treaty which the South African Republic entered into with Portugal and which  
the

(2)  
the Government of Great Britain approved, has been suspended during the present war, so should a Convention be suspended, which emanated from an exchange of notes which have not been published and are unknown, without question.

I have etc.

F.W.Reitz.

State Secretary.

124  
after your first meeting  
we have been  
discussing the  
question

Nº 1

Letter from State Secretary  
re correspondence  
with Portuguese Consul  
General

State Secretary.

F.W. Reitz.

I have etc.

question.

which have not been published and are unknown, without  
suspended, which emanated from an exchange of notes  
perded during the present war, so should a convention be  
the Government of Great Britain approved, has been sus-  
(2)



The Portuguese Government have been informed that in conformity with mutual declarations interchanged by notes on the conclusion of the treaty of 1891, with regard to the right of passage of troops and war material through Portuguese territory of East Africa to the Hinterland under the English sphere of influence and conversely the British Government intend formally to ask that facilities be allowed them for the passing of war personal and material via Beira to the English Hinterland.

In according that right, the Portuguese Government not being able to deny it, is only acting in conformity with a mutual agreement concluded long before the present war could be foreseen. This giving effect thereto can only be considered to be an <sup>un</sup>avoidable assistance rendered to one of the belligerent parties without however being a violation of the duties imposed by neutrality; moreover it does not mean in any way a breach of the good relations of friendship which the Portuguese Government wishes for ever to continue and to preserve constantly with the Government of the S. A. R. -

Pretoria, March the 8th. 1900.

*Memorandum from The Portuguese Consul General*

Pretoria, March the 8th 1900.

Sir,

The Government of the S. A. R. have with much regret taken notice of the communication contained in your memorandum of this day intimating the resolutions of the Portuguese Government to assent to the request of the British Government to convey personal and material of war via Beira to the Hinterland in the British sphere of influence.

They note that the Portuguese Government have thought fit to allow this breach of neutrality, which they have hitherto observed, as they feel bound thereto by certain mutual declarations interchanged in notes on the conclusion of the treaty of 1891 but wish to point out that such interchange of mutual declarations has not been published and that further the Government of the S. A. R. never received any notice thereof previous to the commencement of the war which was forced upon them by Great Britain and Ireland and wherefore they can not be brought into operation during that war, during which the Kingdom of Portugal has maintained an attitude of neutrality which they have strictly and impartially carried out.

If such an agreement has been entered into it can not be applied by a neutral power against and to the detriment of third parties during the existence of a war between the S. A. R. and Great Britain and Ireland; the operation of such an agreement is suspended by the fact of the neutrality in the same way as art VI of the treaty which the S. A. R. has concluded with Portugal, published and approved of

" by "

by the British Government, has been suspended.

The S. A. R. sees itself compelled to carry on a war against its will with Great Britain and Ireland and the allowing of British troops to pass through Portuguese territory can only ~~very~~ tend to be detrimental to the Republican forces and would constitute on the side of Portugal a breach of that neutrality which this Government readily acknowledges has hitherto been faithfully observed by Portugal.

The S. A. R. has always appreciated the friendly relations based upon treaties and peaceful negotiations and so happily existing between it and Portugal and would deplore the action of the Portuguese Government if it facilitated all of a sudden, the conveyance of hostile troops in favour of Great Britain, thereby changing their position as a neutral State into that of an ally of our enemies and they feel constrained to protest against ~~this~~ this conveyance of troops and war material, as they do by these presents.

I request you to communicate this letter to your Government.

Assuring you of my highest consideration and esteem,

I have the honour to be, Sir,

Your obedient servant

F. W. Reitz

State Secretary

The Honourable

DEMETRIO CINATTI,

Consul General & Chargé d'Affaires  
of Portugal, P E T O R I A.



No 3

Memo from the  
Portuguese Consul General  
and protest from  
the S. A. R.



From

To

State Presidents of O. F. S.

His Excellency

and S. A. R. now at Bloemfontein.

Lord Salisbury

Minister of Foreign  
Affairs London.

The blood and the tears of thousands which have been shed during this war and the prospect of total moral and economical destruction, threatening South Africa render it necessary for the two belligerent parties most earnestly and impartially and as if standing in the sight of the Triune God, to ask themselves why they are at war with each other and whether the object each of them has in view justify all this heart rending misery and ruin.

In view of this and bearing in mind the assertions made by several British ~~Statesmen~~/ Statesmen that this war was commenced and has been carried out with the express purpose of undermining Her Majesty's authority in South Africa and to establish throughout the whole of South Africa, a Government independent of that of Her Majesty, we consider it to be our duty to solemnly declare that this war has only been undertaken as a defensive measure for the purpose of maintaining the independence of the South African Republic which has been threatened and is only being proceeded with with a view to secure and maintain the indisputable independence of our two Republics as sovereign international states and for the purpose of receiving the assurance that those of Her Majesty's subjects who have taken part with us in this war should suffer no harm either in person or property.

On these lines and these lines alone we are still

" as "

as in the past desirous of seeing the restoration of peace in South Africa and to put an end to the calamities now prevailing in South Africa.

If however Her Majesty's Government are firmly determined to destroy the independence of the Republics then there remains nothing for us and our people then to continue to the end in the course hitherto pursued in spite of the overwhelming might of the British empire in the firm confidence that that God Who has lighted in our hearts and in those of our fathers the ~~ex~~inextinguishable flame of love of freedom will not forsake us but will complete His work in us and our posterity.

We hesitated to make this declaration sooner to Your Excellency because we feared, that as long as the fortune of war was in our favour and our forces continued to hold defensive positions far into H. M. Colonies such a declaration might have wounded the sense of **honor** of the British Nation , now however that the prestige of the British Empire may be considered as having been vindicated by the fact that a portion of our forces has been captured by Her Majesty's troops and that we have consequently been compelled to relinquish other positions held by us that objection has been removed and we may not any longer hesitate to make it clear to Your Government and people in the face of the whole civilized world, why we are fighting and on what basis we are prepared to see peace reestablished.-

How  
at many places  
- 270 ft thickness?  
at N.O. 2 how  
much does it



as in the past desirous of seeing the restoration of peace in South Africa and to put an end to the calamities now prevailing in South Africa.

If however Her Majesty's Government are firmly determined to destroy the independence of the Republic then there remains nothing for us and our people then to continue to the end in the course hitherto pursued in spite of the overwhelming might of the British Empire in the firm confidence that that God who has lighted in our hearts and in those of our fathers the extinguishable flame of love of freedom will not forsake us but will complete His work in us and our posterity.

We hesitated to make this declaration sooner to Your Excellency because we feared, that as long as the fortune of war was in our favour and our forces continued to hold defensive positions far into N. M. Colonies such a declaration might have wounded the sense of honor of the British Nation, now however that the prestige of the British Empire may be considered as having been vindicated by the fact that a portion of our forces has been captured by Her Majesty's troops and that we have consequently been compelled to relinquish other positions held by us that objection has been removed and we may not any longer hesitate to make it clear to Your Government and people in the face of the whole civilized world, why we are fighting and on what basis we are prepared to see peace reestablished.

No 4  
Cable from The  
President of O.F.S.  
and S.A.R. to  
Lord Salisbury



Pretoria S.A.R.

March 10 1900

Hon. David J. Hill

Assistant Secretary of State

Washington D.C.

*File*

Sir:-

I have the honour to confirm the following  
cablegram sent today to the Department of State at  
the request of the Government of the South African  
Republic:

Secstate

Washington

Am officially requested by Governments of Republics  
to urge your intervention with view to cessation  
of hostilities. Similar request made to represent-  
atives of European powers. Answer to confirm receipt.

Americonsul

I have the honour to be

Sir,

Your obedient servant

Adelbert R. Hay

United States Consul



Pretoria S.A.R.

March 11 1900

Hon. David J. Hill

Assistant Secretary of State

Washington D.C.

*file*

Sir:-

I have the honour to acknowledge herewith the receipt of the following communications from the Department of State:

Confirmation of Departments cable Dec. 27

Confirmation of Hollis' cable Jan. 3

Departments circular (S.D., I, 4, 1900-350),  
re the destruction of the Slater Code.

I beg further to inform you that the Code has been destroyed.

I have the honour to be

Sir,

Your obedient servant

Adelbert S. Hay

United States Consul

Wm. C.

"Trentonia"

Ans. Bureau

March 11. 1900

APR 28 1900

(Sent in personal note to Sec.  
a copy will be sent officially  
by a later mail.)

Copy.

State President S. A. R.  
and State President O. F. S.

His Excellency Lord  
Roberts, commander  
in Chief. Cape Town.

6<sup>th</sup> March. In a recent note to your Excellency we protested against the action of your Government and war officers, who contrary to civilized customs, have armed native tribes against the inhabitants of the Republics, and who are employing these armed natives, turning them against in the present war waged between white races. This has happened, according to official despatches and telegrams of British commanders, not only with reference to Basutos, who were engaged at five shillings a day for military purposes; evidence of which we found at your camp at Dundee, but also in the case of the native tribes on our Northern & Western border. In consequence of these actions, helpless women and children within the borders of the S. A. Republic, in the district of Rustenburg, have been brutally murdered; properties destroyed and non-combatants after cruel ill treatment been dragged away as prisoners. The officers in command attributed those atrocities to an official dépêche to the fact, that the Kaffirs got out of hand, thus admitting the use they made of those troops, with consequences as just mentioned. Also Colonel Baden Powell has acknowledged in an official despatch to which we already called your Excellency's attention, that Fing's and other Kaffirs are employed



ed at Mafeking, to fight against our Boers; while you have advised us in a despatch, dated 28<sup>th</sup> February 1900. — "I feel sure in no case have armed natives been employed in military operations with the imperial forces." — a few days before your Excellency wrote those words an armed Kaffir force of Linchwe again entered the district of Rustenburg, and many cruel crimes were committed. Those were the same Kaffirs which have committed the above mentioned murders under a British leader. To remove all doubt whether those Kaffirs acted on the instigation of and were lead by responsible British officers, the assistant General J. P. Snyman, commanding officer on the western border of the South African Republic, received the following letter of Colonel Baden Powell; begins. Head. quarters Mafeking 27<sup>th</sup> February 1900. To Genl. J. P. Snyman near Mafeking. Sir. As you have distributed arms to natives and have caused them to invade British territory and are now employing them directly against my troops I hereby warn you that I propose to take similar measures in return unless therefor you withdraw all your armed natives across the borders, by evening of the 3<sup>rd</sup> March and send the Chief Saani whom you have unlawfully made prisoner back to his Stat Modimole by the same date the arrangements will be proceeded with, which have already been planned for the forces of Khama, Mpefu, Linchwe and Bathoen to invade the Transvaal.



and Rustenburg districts. I have the  
honour to be Sir your obedient servant. signed  
B. S. S. Baden Powell Colonel commanding  
H. M. forces Mafeking. finish. To this acc.  
General Snyman replied as follows, begins  
Mafeking 28<sup>th</sup> February 1900. To  
Baden Powell Esq<sup>r</sup> Colonel H. M. forces, Mafeking  
Sir. Your letter of 27<sup>th</sup> February 1900 duly received.  
Concerning the first part thereof, namely in  
which you say "that armed kaffers are  
employed by me" to invade British territory  
and are now employing them direct against  
my troops. I can inform you that on this  
subject you must have been misinformed.  
It appears however somewhat strange to me  
that you should make a protest on this point,  
as you yourself made use of native troops  
with the attack on my forces near the  
Fountains on or about the 17<sup>th</sup> October 1899:  
and also as you are still using them to fight  
against us in the forts. This true, that  
some kaffers were armed by me for purposes  
of safety, and I beg to refer in this matter  
to my letter to you of the 22<sup>nd</sup> January 1900.  
The incident of the attack at Derdepoort  
where according to the evidence of an  
English officer the kaffers were armed,  
and lead by English officers, is yet kept  
too fresh in my memory, that I should  
not be aware of the danger, ever existing,  
when English officers are found to be  
on our borders amongst the kaffers for  
the purpose of raids by these kaffers,  
whose only and horrible purpose is to

commit



commit the most bloodthirsty crimes, and  
to murder women and children, subjecting  
them to the most dreadful ill treatment.  
When thus for a few days I received the  
report, that a number of Kaffirs armed  
and lead by English officers were again  
coming up, I caused a number of Kaffirs  
to be armed, to prevent the carrying out of  
their object and to protect our borders.  
As regards your menace about the tribes  
of Khama, Mpefu, Linchwe and Bathoen  
I may inform you, that I will hold  
myself fully prepared for the threatened  
attack, which you mention, but I have  
to warn you distinctly, that I will hold  
you directly responsible for the conse-  
quences, and that the Government of the  
South African Republic, will be determined  
to call upon you in order to give an account  
of your actions, during or at the end of  
this war; the same will also apply to  
those officers who are answerable for  
the attack at Berdepoort. As regards  
the Chief Saani, I may inform you  
that I have made him move to Palfontien  
for reasons of safety and in order to  
prevent plundering, at which place  
he and his people are lodged in freedom.  
For the above reasons I cannot grant your  
demands in this respect. I have the honour  
to be your obedient servant. J. P. Snyman  
ass. Genl. Genl. We had hope that all  
though the British army forces in the  
rare instance of a war with civilized  
enemies

enemies would not easily be induced to  
behave according to civilised customs  
Your Government would at any rate have  
deemed it desirable not to appeal for  
help to the coloured races at the time of  
war between the white peoples of South  
Africa. The more so as clearly has been  
shown, that the Kaffers are not excited  
for a lawful military purpose; and  
can only aid the British military designs  
by murdering and barbaric ill treatment  
of the noncombatants. It seems however  
that principally after those murders and  
cruelties came to light, and <sup>have</sup> served as  
a reason for our protest to Your Excellency  
an appeal to the Kaffertribes has been  
made on a larger scale. We refuse to believe  
that your Excellency would choose to stain  
your soldiers' honour by using and taking  
advantage of those and such like practices,  
and request your Excellency to stop those  
actions of your subordinate officers.  
A copy of this telegram has been sent to  
the representatives of the neutral powers  
at Pretoria and Bloemfontein.



An official Copy



NO. 2146.

The First National Bank.  
East Liverpool, Ohio.

DAVID BOYCE, PRESIDENT      N. G. MACRUM, CASHIER  
J. M. KELLY, VICE PRESIDENT      THOS. H. FISHER, ASSISTANT  
CAPITAL \$100,000.00      SURPLUS \$60,000.00

*"Preteroria"*  
*Rev. Sarah*

March 17, 1900.

Hon. David J. Hill,  
Assistant Secretary of State,  
Washington, D.C.

Sir:

I have the honour to request the return of the bond which I  
executed as Consul of the United States to Preteroria, S.A.R., so that  
the same may be cancelled with the surety company.

Thanking you in advance,

I have the honour to be,

Sir,

Your obedient servant,

MAR 21 1900

*N. G. Macrum*

Diet. CEM/AM.

No. II



*Ans Bureau*  
*Note & File*

Pretoria S.A.R.

March 18, 1900

Hon. David J. Hill

Assistant Secretary of State

Washington D.C.



Sir:-

I have the honour to acknowledge the receipt of the Departments circular (S.D. 'I' 22, 1900-100) .

I have requested the Government of the South African Republic to send me the copies of Census Statistics as instructed, but I fear that in the present disturbed times the request is liable to be pigeon-holed.

I have the honour to be,

Sir,

Your obedient servant,

Charles B. May

United States Consul

E. J. P. M. M.

*Ans. Received*



Pretoria S.A.R.

March 28 1900

The Honourable

The Secretary of State

Washington D.C.



*To Enid Pretorius  
Editor Westliche  
Post  
May 25  
1900*

Sir:-

I have the honour to acknowledge the receipt of your letter of February 2 1900 and to inform you that I have forwarded the letter enclosed, containing a draft for contributions received by the "Westliche Post", to be used for support of widows and orphans, to the Secretary of State for Foreign Affairs.

I have the honour to be,

Sir'

Your obedient servant,

Adelbert B. Hay

United States Consul.

No. 12.

*2 notes to Mr. Auld as per May 25 1900 mfr. MacSackham Coder*

*Cons Bureau*



Pretoria S.A.R.

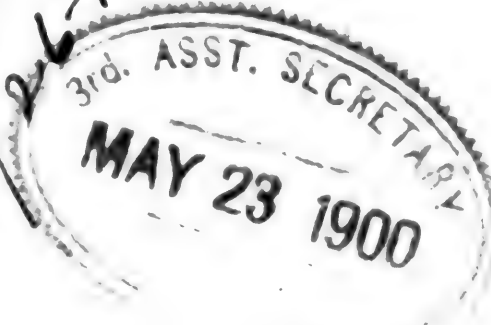
March 28 1900

Hon. Thos. W. Cridler

Third Assistant Secretary

Washington

*Ans. & to Mrs. Mitchell, Hon. Geo. M. Thurston & Louis Neustadter May 26-1900*



Sir:-

I beg to acknowledge the receipt of instructions Nos. 10, 11, 12, 13, & 14 of Jan. 18, 22, 27, Feb. 3, 5.

No. 10

I have instituted enquiries re Louis Neustadter as requested by his brother through the Department, but have had no reply. Since the occupation of the Free State capitol by the English I have had no means of communication with the U.S. Consular Agent at Bloemfontein and therefor have been without a correspondent in the Free State.

No. 11

I enclose herewith the letter of Mr Coots addressed to Senator Thurston re Mr. Pollard and sent to me for investigation.

Mr. Pollard is in the best of health and is carrying on his affairs as usual. I have sent a letter



letter to his wife for him.

No.12

I enclose the letter of the British Ambassador re Mr. P.A. Stronach.

When in London I requested my predecessor to make enquiries into this case but he informed me that he had heard that Mr. Stronach was a dynamiter so he did not think he had better interfere .

I made an investigation at the War Office and was informed that Mr. Stronach was released and put over the border.

This I communicated to Cape Town some time ago.

No.13

I enclose the letter from Mrs Mitchell enquiring about her husband.

I can find no record of the person named, in the Transvaal army but there is an American, Joseph S. Mitchell now in Durban. I have written to him to find out if he is the man .He is late of Klerksdorp.

No.14

As requested by the British Embassy through the Department, I have investigated the case of one

MacLachlan

(3)

Maclachlan, a British subject, who is alleged to have been shot at Harrismith on Dec. 25 1899, by the Boers, because he declined to fight on their side.

I have obtained the following information:

"Maclachlan is in best of health, he is working in.

A. Andersons store at Harrismith. On Dec 25 last

he was a little excited on account of a Christmas dinner"

I have the honour to be,

Sir,

Your obedient servant,

Adelbert S. May

United States Consul.

mf

DEPT. OF STATE

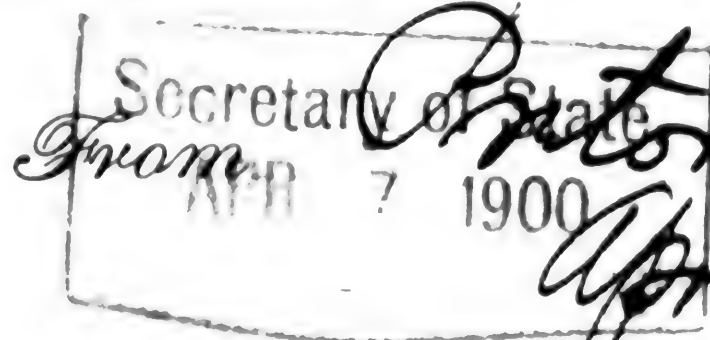
APR 6 1900

RECEIVED

File

TELEGRAM RECEIVED.

20 York.



Portoria,

April 6,

1900

Received

9:35 A.M.

Sec State,

Washn.

Can use money for  
prisoners Can draw on  
you for both sides have  
drawn hundred New South-  
Wales

Amer. Consul.

No. 13.



*Ext Bureau  
file*

Pretoria S.A.R.

April 6 1900

Hon. Thos. W. Cridler

Third Assistant Secretary

Department of State



Sir:-

I beg to acknowledge the following communications  
from the Department of State:

Confirmation of my telegram Feby. 8, Feby. 10.

Confirmation of telegram signed Cridler,  
Feby. 13, Feby. 15.

Confirmation of telegram signed Hay Feby. 14.

I am, Sir,

Your obedient servant

*Arthur B. Hay*

United States Consul



DEPARTMENT OF STATE

TELEGRAM RECEIVED.

Ant Bureau  
Confirm

APR 18 1 32 PM 1900

From

Pretoria  
File Apr 18, 1900.

CHIEF CLERK'S OFFICE  
RECEIVED

State

Receive State  
Secretary of State  
APR 20 1900  
ASST. SECRETARY  
APR 19 1900

Clash.

Irish American  
Inversion beam Bavarian  
almost all preparing  
balustered outmantle  
to fight  
Grear

Americo Consul

Received. 32  
..... o'clock P.M.

Deciphered  
H. Michael Chief Clerk

..... o'clock P.M.

Copies delivered to

.....  
.....  
.....

TELEGRAM RECEIVED IN CIPHER



*From* Pretoria.

April 18, 1900.

Received 1:24 P.M.

Secretary of State.

Washington.

Irish American ambulance almost all preparing  
to fight.

American Consul.

*Confidential*

*Cont'd  
Apr 21  
1900*

Deciphered by

*Chief Clerk  
April 18*

*, 1900, 1:35 P.M.*

DEPARTMENT OF STATE

TELEGRAM RECEIVED.

9 Govt.

APR 25 9 07 AM 1900

CHIEF CLERK'S OFFICE

RECEIVED

Sec State.

From Pretoria.

April 25, 1900.

Received 6:20 AM.

Washington

✓ To Lord Pauncefote  
April 25



William Luttit Well, working

Contract Delagoa.

Am Consul.

Confidential

Compd  
Apr 26  
1900

①

No. 14

Cons Bureau  
file

Consulate of the United States,  
Pretoria S A R. April 25, 1900

Mr. Hay -

To the Department of State.

Subject:

✓ See notes to British Amb. and to  
✓ John B. P. Johnson June 7, 1900



Acknowledgement of despatches  
from the Department of State

Abstract of Contents.

Acknowledges despatches Nos. 15, 16  
17 and 18, and reports on same.



No. 14.



Pretoria S.A.R.

April 25 1900

Hon. David J. Hill

Assistant Secretary

Department of State

Washington D.C.

Sir:-

I have the honour to acknowledge the receipt of the Departments despatches Nos. 15, 16, 17 & 18 dated February 6, 13, 15 & 15.

No. 15

I have several times enquired about Major Mackenzie with no result and I feel quite sure that he will never be heard from, certain it is that he never was captured by the Boers nor buried by them with the knowledge of his identity.

He was probably buried with a lot of privates or left unburied till he was beyond identification.

I have wired to the respective Landdrosts enquiring about A.G. Robbins and Bruy Glover but as yet have had no reply.

Nos. 16 & 17

Office of the  
Third Assistant Secretary.

W. Biddle



I info  
has de  
being  
No. 18

Dear Mr. Secretary:

I do not know whether  
you have seen this des-  
patch or not. It has

I l  
papers  
stater  
tamper  
He co  
mail  
office  
times

nothing of great importance  
but I thought you might, if any  
you have not already read  
this statement touching  
the despised Macrum  
his correspondence -

Faithfully  
Biddle

in his  
ganized

1  
told

Thank you - JH

was  
er

addressed to Mr. Macrum but the Postmaster General gave me  
a satisfactory explanation and a polite apology for this  
occurrence. I did not report it to the Department at the  
time as I thought it too trivial a case and I understood  
it was a private letter.

Mr. Hollis demanded that Mr. Rennie, Consular Agent for  
Natal obtain an abject apology from the British authorities  
but the British authorities were loth to tell him, knowing  
his

I informed Mr. Pitchford of his fathers wishes but he has decided to stay in Johannesburg where he is safe, being under the eye of Mr. Gordon, the U.S. Consular Agent.

No. 18

I have made a thorough examination of Mr. Maorums papers in this Consulate and can find no record of any statement to the effect that the British authorities tampered with or examined any of his official mail.

He complains of the delay in arrival of his private mail which seems to be of much more importance than his official business and which is absurd in such disorganized times as these.

When I was in Durban on my way to this post I was told of the accidental opening, by a clerk, of a letter addressed to Mr. Macrum but the Postmaster General gave me a satisfactory explanation and a polite apology for this occurrence. I did not report it to the Department at the time as I thought it too trivial a case and I understood it was a private letter.

Mr. Hollis demanded that Mr. Rennie, Consular Agent for Natal obtain an abject apology from the British authorities but the British authorities were loth to tell him, knowing

his



his feelings, that the American mail was the only one which was passed uncensored.

I beg to inform you that my official mail arrives as regularly as possible under the circumstances and that I have had no trouble with cables in code or otherwise, the other side of Delagoa Bay and the only examination or delay of letters has been always in this territory, the examination, which has occurred in private correspondence posted in the Transvaal, always being accompanied by an apology.

I have the honour to be,

Sir,

Your obedient servant,

Adelbert B. Hay

United States Consul.

I enclose several letters for the United States which I should be glad if you would cause to be posted.



*Cond.*

*Cous. Rogers*  
*J. J. J.*

TELEGRAM RECEIVED.

*W.A.*

DEPARTMENT OF STATE

APR 2 9 15 AM 1900

CHIEF CLERK'S OFFICE

RECEIVED

*From Pretoria*  
*April 26, 1900.*

Received *9:28 A.M. 27th*

*Sec State,*

*Washington*

*Strachan*

*recently sent*

*across border.*

*Amer Consul.*

*Approved*  
*April 27*  
APR 27 1900  
ASST. SECRET

*Confidential*

*Coups*  
*Apr 28*  
*1900*

DEPARTMENT OF STATE

TELEGRAM RECEIVED.

*M.A.*

*Cons Bureau*  
*7 foot*  
*Confirm*

7 9 13 AM 1900

*From Pretoria,*

*April 26, 1900.*

*Received 6:30 A.M. 27th.*

*Sec State,*

*Washington.*

*✓ To Consul General  
at Ottawa*

*APR 27 1900*  
*April 27*

*Saul Hague prisoner*

*Pretoria.*

*Amer Consul*

DEPARTMENT OF STATE

TELEGRAM RECEIVED.

11 Govt.

APR 28 9 05 AM 1900

CHIEF CLERK'S OFFICE

RECEIVED

From

Pretoria.

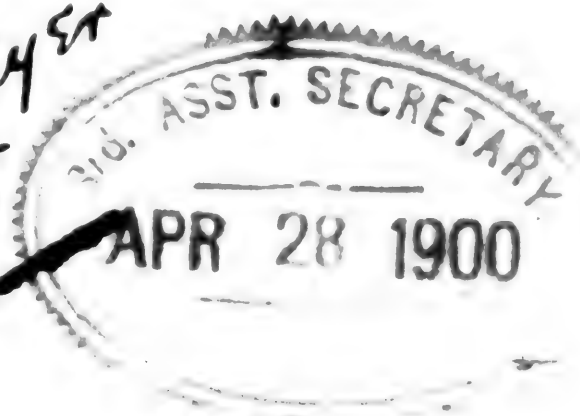
April 27, 1900

Received 6:40 A.M. 28th

Sec State,

Washington.

To Hon. A. Meyer  
April 28



Lossberg progressing  
Well. Out of hospital.  
No danger.

Comd  
May 2  
1900

Amemboul.

\$12.49

*W. J. A.*  
No. 15

*Consular Bureau  
File*

Consulate of the United States,  
Pretoria

April 28 1901

Mr. Hay

To the Department of State.



*File*

*Subject:*

Referring to John Rogers Pitchford a young American now in Johannesburg and a letter from Hon George Perkins.

*Abstract of Contents.*

Cabled on March 8th, Pitchford doing well Johannesburg, Gordon looking out for him and writing father. Asking for receipt of Department's despatch No25 of March 9, 1900 on same subject.





**Office of the  
Third Assistant Secretary.**

The contents of this despatch  
have previously been reported to the  
father of Pitchford and to Senator  
Perkins.

TELEGRAM RECEIVED.

DIPLOMATIC,

MAY 4 1900

From

Pretoria

BUREAU

May 4 1900

Received

146 P M.

Wash,

John Anderson 493 Royal  
Scots Pretoria unwounded  
Americonsul

Contd  
May 7  
1900

TELEGRAM RECEIVED.

17 Words.

From

Cretoria.

May 10, 1900.

Sec State.

Washington.

To American  
Minister  
May 10

Received

6:10 AM.

Confirmed  
May 18



Mexican subject desires  
American protection, has no  
representation here. Can I grant  
this provisionally?

Am Consul.

# CABLE MESSAGE.

## THE WESTERN UNION TELEGRAPH COMPANY.

### INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

**TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.**  
**CONNECTS ALSO WITH FIVE ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.**  
**DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.**  
**ABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.**  
**MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.**

#### OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

#### OFFICES IN GREAT BRITAIN:

LONDON:

No. 21 Royal Exchange, E. C.  
 No. 109 Fenchurch Street, E. C.

LIVERPOOL: No. 8 Rumford Street.

GLASCOW: No. 29 Gordon St. and No. 4 Waterloo St.

BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS	FROM	
20	B	C	159	Pretoria	220

RECEIVED at

Navy Sept

May 11

1900  
~~189~~

Sec Nav.

Washn

(20)

Am. British  
 May 12

Carsten

Magistrate

Kenhardt

Not

Charged with murder simply Civilian

prisoner. Case pending.

Americans



## TERMS AND CONDITIONS.

To guard against mistakes on the lines of this Company, the sender of every message should order it repeated; that is, telegraphed back from the end of said lines to the Originating Office. For such repeating, the sender will be charged in addition, one-half the usual tolls of this Company on that message, if it is repeated on its own lines; and one-half the usual tolls of the other companies, if it is repeated on their lines.

This Company will not assume any responsibility in respect to any Message beyond the terminus of its own lines; and it is hereby agreed between the sender of the following Message and this Company, that said Company shall not be liable for mistakes or delays in transmission or delivery, or non-delivery to the next connecting Telegraph Company, of any unrepeatable message, beyond the amount of that portion of the charge which may or may not be paid by this Company out of the amount received from the sender for this, and the other companies, by whose lines such message may pass to reach its destination. If the message is repeated, the sender shall be liable for the same, and the Company shall not be liable for mistakes or delays in transmission or delivery, or non-delivery to the next connecting Telegraph Company, of any repeatable message, beyond fifty times the extra sum received by this Company from the sender for repeating such message over its own lines; and the Company shall not be liable in any case for delays arising from interruptions in the workings of its lines, nor for errors in cipher or obscure messages. This Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company to reach its destination.

This Company is not to be liable for damages in any case where the claim is not presented in writing within thirty days after the sending of the message.

No. 16

Consulate of the United States  
Pretoria

Cons Bureau  
To advise Mrs.  
Walsh enquiring to  
her letter of March 7.

May 13, 1900, ~~189~~.

Mr. Hay

To the Department of State.

MAR 15 1901

To Mrs M F Walsh  
Ackd by form  
Mch 19 1901

Subject:

Mrs M.F. Walsh of Brooklyn N.Y., enquiring about a family  
named Korne in Johannesburg.

Ans  
Mch 23  
1901

Abstract of Contents.

Ascertained that they are well and safe and are in  
touch with the U.S. Consular Agent in that place. who will  
render them all necessary aid and protection.

Consular Bureau.  
MAR 18 1901

CONSULATE OF THE UNITED STATES

PRETORIA S.A. May, 13, 1900.

Hon David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Department's despatch No24 of March 9, 1900, enclosing a letter from Mrs M.F. Walsh of Brooklyn N.Y., enquiring about a family named Korne, in Johannesburg.

I have ascertained that they are safe and well and are in touch with the United States Consular Agent in that place, who will render them all necessary aid and protection.

I have the honour to be,

Sir,

Your obedient servant.

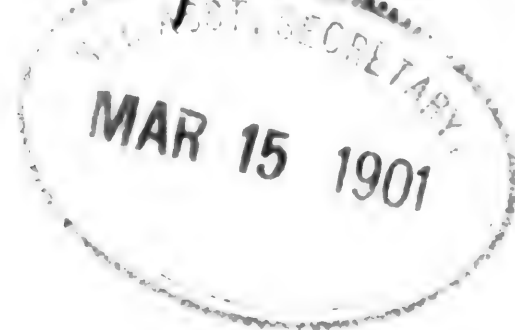
Adelbert S. Hay

United States Consul.

on file  
No. 17.

Cons Bureau  
To inform the Consulate  
Sydney N.S.W. referring to  
his No 280 - for communication  
to Mrs Houston  
Consulate of the United States,  
Pretoria

May 16, 1901



Mr. Hay

To the Department of State.

To Sydney  
Australia  
Ackd by  
from  
Mch 19

Subject:

Letters from U.S. Consul Sydney N.S.W. and Mr Houston re 1901  
Mr C. Houston of Dundee, who is supposed to have been taken  
prisoner by the Boers.

Abstract of Contents.

Have made investigations at the War Office here and can  
find no trace of his having been brought to Pretoria or made  
prisoner by the Boers.





NO 17

CONSULATE OF THE UNITED STATES

PRETORIA S.A. May 16, 1900.

Hon. David J. Hill

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the  
Department's Despatch No 28 of March 13, 1900, enclosing

copies of letters from the U.S. Consul Sydney N.S.W. and <sup>Mr Houston</sup>

Mr C. Houston, of Dundee, who is supposed to have been  
taken prisoner by the Boers.

I beg to inform you that I have made investigations  
at the War Office here and can find no trace of his having  
been brought to Pretoria or made a prisoner by the Boers.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert S. Hay

United States Consul.

*Long*

TELEGRAM RECEIVED.

2 MU B WA 18 Govt.

From Pretoria,

May 17, 1900. , 1

Received 7:12 A.M.

SecState,

Washington,

*J. P. Roosa  
May 17*



Inform Duval 63 Pine street, New York, has  
although badly bruised not in danger.

AmerConsul.

*confirmed.  
MAY 18 1900*

DEPARTMENT OF STATE

TELEGRAM RECEIVED.

13.9

MAY 17 3 32 PM 1900

From

Pretoria

May 17, 1900

Received

3 26 P.M.

CHIEF CLERK'S OFFICE  
RECEIVED

Washington.

~~Duphew~~

Have you arrived at decision

Protection Mexican Subject

Case urgent

Amer Consul

len  
H2

Cous. Bureau

TELEGRAM RECEIVED.

1 MI R WA 13 Govt. Confer

From Pretoria,

May 17, 1900., 1

SecState,

Washington,

Received 7:10 AM.

To Mex. Ambassador  
May 17

✓ H K May 18



Have you arrived at decision regarding Mexican subjects?  
urgent case.

AmerConsul.

confirmed  
MAY 18 1900



*W.L.*  
DEPARTMENT OF STATE

MAY 19 9 24 AM 1900

CHIEF CLERK'S OFFICE  
RECEIVED

TELEGRAM RECEIVED.

*Ans Bureau*  
*7 Hords.*  
*Confirm*

From

*Pretoria,*

*May 19, 1900.*

Received

*7:11 AM*

*Sec State.*

*Washington*

*To British Amb.*  
*May 19*

*Corporal Rogers*  
*unknown here.*

*Amer Consul*

*Conf'd*  
*May 21*  
*1900*

Long B

DEPARTMENT OF STATE

MAY 19 9 24 AM 1900

CHIEF CLERK'S OFFICE  
RECEIVED

TELEGRAM RECEIVED.

From

Victoria

May 19 1900

Received

7:10 AM.

Ans Bureau  
7 400h  
Cairion

Sec State.

Washington.

Lieut. Bonsey

unknown here.

Amer Consul.

Go British Sub  
May 19

Contd  
May 21  
1900

afid No. 18

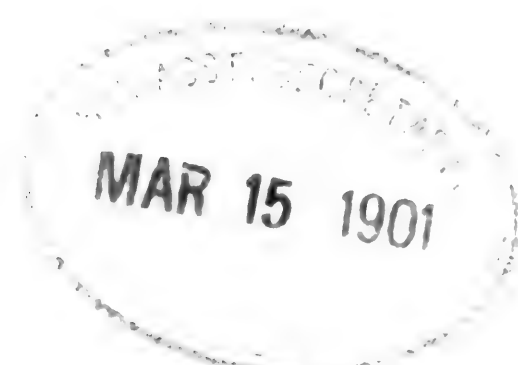
Cons. Bureau  
File See 220 of March  
12 1900 from Cape-  
Town. —

Consulate of the United States  
Pretoria

May 24, 1900 ~~1899~~.

Mr. Hay

To the Department of State.



File

Subject:

Letter from Mr Jose Eugenio Marx who believes that his brother Albert Marx is to be a prisoner at Pretoria.

Abstract of Contents.

After careful investigation no prisoner of that name was found in Pretoria



Office of the  
Third Assistant Secretary.

Albert Marx.

No. 220, March 13, 1900, reported  
from Cape Town that Marx had been im-  
prisoned at Breakwater Convict Station  
charged with receiving stolen property.  
Sentenced to nine months.

Writer was informed of this fact  
on April 17, 1900.



*John*

*Cons Bureau  
file*

No. 19

Consulate of the United States, Pretoria

May, 28, 1901

Mr. Hay

To the Department of State.

MAR 15 1901

*File*

Subject:

Referring to William L. White, late Quarter Master General of the State of Michigan who is a fugitive from justice from the United States and a letter from the Governor of Michigan and several circulars.

Abstract of Contents.

Have called the attention of the local authorities and the U.S. Consular Agent at Johannesburg to this matter, and will report if the man is found.

Consular Bureau  
MAR 18 1901

Office of the  
Third Assistant Secretary.

William L. White.

Consul at Lourenco Marques under  
date of May 31, 1900, reported that  
White had not been seen there.

July 2, 1900, No. 258, Mr. Stowe,  
C. G. at Cape Town reported that he had  
received a letter from Albert H. Moore,  
Secret Service Operator, stating that  
White had been seen in Paris and was  
supposed to be in Rouen.

This fact was communicated to the Gov  
of Michigan July 20, 1900.

Despatch might properly be filed.

No 19

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. May 28, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 34 of April 6, 1900, in reference to William L. White, late Quarter Master General of the State of Michigan who is a fugitive from justice from the United States, enclosing a letter from the Governor of Michigan and several circulars.

I beg to inform you that I have called the attention of the local authorities and the U.S. Consular agent at Johannesburg to this matter, and will report immediately, if the man is found to be here.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert H. May

United States Consul.

*Conf*  
No. 20

*Cons. Bureau  
Copy of despatch &  
enclosure to Mr.  
Pittsburg referring  
all of  
Victoria Feb 24  
May 28 1900*

Consulate of the United States,

Mr. Hay

To the Department of State.

MAR 15 1901

Subject:

Money sent by Mr. Emil Pretorius of St Louis  
for transmission to President Kruger.

*Enc to  
Emil Pretorius  
received by  
Adm Secy  
from  
Mar 19  
1901*

Abstract of Contents.

Encloses receipt for one hundred pounds  
sq signed by Mr. H. C. Tustack, Chief Clerk  
of the Department for Foreign Affairs -

*Ans  
Apr 9  
1901*

Consular Bureau.  
MAR 18 1901



Ontvangen van den Consul van Amerika sen schryven  
van den heer Emil Pratorius te St. Louis met daarby gaande  
cheque ad £ 100. No. 45931.

H.C. Ten Haaf,

Pretoria, 2d Mei, 1900.

No20

CONSULATE OF THE UNITED STATES

PRETORIA S.A. May 28, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No21 of March 2, 1900, enclosing a letter and cheque for one hundred pounds stg. addressed to President Kruger by Mr. Emil Pretorius.

I beg to enclose herewith the receipt for the same, signed Mr H.C. ten Haaf, chief clerk of the Department for Foreign Affairs.

I have the honour to be,

Sir,

Your obedient servant.

Hubert H. Hay

United States Consul.

*affd*  
No. 21.

*Cons Bureau  
file*

Consulate of the United States,  
Pretoria

May 31, 1900 ~~1899~~.

Mr. Hay

To the Department of State.

MAR 15 1901

*Subject:*

Wanted information of Joseph Pryor, of Massachusetts who enlisted in the British army and is reported severely wounded.

*To Hon William  
Green  
Ack by for  
Mich 19  
1901*

*Abstract of Contents.*

Mr Pryor is not a prisoner here and is not recorded in the Red Cross list.

Consular Bureau,  
MAR 18 1901

**Office of the  
Third Assistant Secretary.**

**Joseph Pryor.**

Our Ambassador at London reported June 23, 1900, that Joseph Pryor had recovered from his wounds and rejoined his battalion.

Hon. W. E. Greene was informed of this fact on July 5, 1900.

This despatch may be filed.



No 21

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. May 31, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 32 of March 31, 1900, asking for information of Joseph Pryor, of Fall River Massachusetts, who enlisted in the British army and is reported severely wounded.

I beg to inform you that the above named is not a prisoner here and is not recorded in the Red Cross Identity lists.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert S. Hay

United States Consul.

*Consul*

*Cons Rec  
5 Gov  
Conf*

DEPARTMENT OF STATE

TELEGRAM RECEIVED.

JUN 5 9 26 AM 1907

From *Pretoria*  
*June 5*  
Received *924*

CHIEF CLERK'S OFFICE  
*Rec State*  
RECEIVED

*Alaska.*

*All well*

*confirmed  
JUN 5 1907*

3rd. ASST. SECY  
JUN 5 1907

*Amer Consul*

*Simons  
has been  
The*

*Cond. D.*

DEPARTMENT OF STATE

TELEGRAM RECEIVED.

*Ant Bureau*  
*5 York*  
*Confirm*

JUN 5 9 26 AM 1900

From

*Pretoria*

*June 5, 1900.*

Received

*9 24 A.M.*

CHIEF CLERK'S OFFICE

RECEIVED

*Alaska.*

*All well*

*confirmed*  
*JUN 5 1900*



*Amer Consul*

*Thursday*  
*has been*  
*the*

*Mr. No. 22*

*Cons. Bureau  
So advise Mr Stein*

Consulate of the United States,  
Pretoria

June 21, 1900, ~~189~~

Mr. Hay

To the Department of State.

Subject:

Money sent by Mr Carl Stein of the Deutscher Krieger-Verein for transmission to President Kruger for the assistance of the Boer wounded and widows and orphans of the present war

*Abstract of Contents.*

Money was handed to one of the officials of the foreign office to be handed over to President Kruger, but as it arrived on the eve of President Kruger's departure, no receipt or acknowledgment was given.

*Check by forwarding to  
Mr Stein made 2/1/01*



*Carl Stein  
Apr 9*



No 22

Consulate of the United States

Pretoria S.A. June, 21, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, D.C.

Sir:-

I have the honour to acknowledge the receipt of the Department's despatch No 36 of April 13, 1900, enclosing a copy of a letter from Mr Carl Stein of the Deutscher Krieger-Verein transmitting a letter addressed to President Kruger which enclosed a draft for 1065 marks to be used for the assistance of the Boer wounded and widows and orphans of the present war.

I beg to inform you that this letter and enclosure was handed to one of the officials of the foreign office of the South African Republic for delivery to President Kruger, but that as it arrived on the eve of President Kruger's departure from Pretoria, when everything was in confusion, no receipt or acknowledgment was given.

I hope this has since been sent to Mr Stein.

I

I have the honour to be,

Sir,

Your obedient servant.

Arthur B. May

United States Consul.

No. 23

Consulate of the United States,

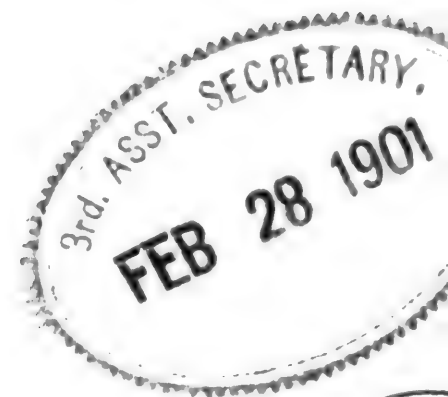
Pretoria

June, 28, 1900, ~~1900~~

Cons Bureau  
Examined whether  
Auckland should not  
be so advised  
L

Mr. Hay

To the Department of State.



To Auckland  
Ackd by  
Mch 2  
1901

Subject:

Confirming telegrams of the Secretary of State and the U.S. Consul at Auckland in regards to providing comforts for the New Zealand prisoners of war.

Abstract of Contents.

Everything that was possible was done for the prisoners and have now been released by the occupation of Pretoria by the British.



No 23

CONSULATE OF THE UNITED STATES

PRETORIA S.A. June, 28, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 39 of April 20, 1900, confirming telegrams of the Secretary of State and the United States Consul at Auckland in regard to providing comforts for the New Zealand prisoners of war.

I beg to inform you that everything that was possible was done for the comfort of the prisoners, and now happily they have been released by the occupation of Pretoria by the British troops.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert H. Hay

United States Consul.



NO 24

CONSULATE OF THE UNITED STATES

PRETORIA S.A. June 30, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 38 of April 17, 1900, requesting that I extend protection to Miss Julia Underwood of Ladybrand and enclosing a letter from Mrs C.M. Dean.

As the British forces have control of that territory and the country is in disorder, there is no means of communicating with Miss Underwood but as I have heard nothing from her, there is every reason to believe that she is perfectly safe.

I have the honour to be,

Sir,

Your obedient servant.

Hubert H. Hay

United States Consul.

DEPARTMENT OF STATE  
JUL 6 9 18 AM 1900  
CHIEF CLERK'S OFFICE

"Pretoria"  
TELEGRAM RECEIVED.  
3 WU BY WA 7 Govt.

Long Bureau  
Confirms

From Cape Town,

Received July 6, 1900.

Received 7:13A M.

SecState,  
Washington.

✓ Keystone View Co.  
July 6

Confirmed  
July 7-1900



Pratt here very well.

May.  
(consul Pretoria)

Keystone View Co. told cost  
of this telegram to \$7.95 & asked  
to forward amt. to Dept.  
July 14-1900.

~~184~~

Consular Bureau.

MEMORANDUM.

Mr Stewart:

Can you give me  
the cost of this telegram.

If the rate is the  
same as ours

\$17.95 will be correct  
E. Stewart

*Copy*  
No. 25

*As Bureau  
File*

Consulate of the United States,  
Pretoria

July, 23, 1901.

Mr. Hay

To the Department of State.



Subject:

Information ashkd for by Hon. George F. Hoar about one  
Anson M. Blenus last heard of in Ladysmith.

*File*

Abstract of Contents.

Have made enquiry through Military Authorities here, as  
Ladysmith is now relieved, and will report any information  
obtainable.





NO 25

CONSULATE OF THE UNITED STATES

PRETORIA S.A. July 23, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 46 of May 2, 1900, with enclosures from Hon. George F. Hoar, asking for information of one Anson M. Blenus, last heard of in Ladysmith.

As that town is now released I have made enquiry through the Military Authorities here and will report any information obtainable.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert S. Hay

United States Consul.

No. 26

Cons Bureau  
Above interested  
party *Cudde*

Consulate of the United States,

Pretoria

July, 28, 1900 ~~1901~~.

Mr. Hay

To the Department of State.



Subject:

Information wanted of Samuel Humphries, who enlisted in  
Orphans Light Artillery, of the English Army,

Abstract of Contents.

Can find no trace of Humphries among prisoners of war  
or in the lists of the Red Cross.

*To Hon  
R C Davy  
Ackd by  
from  
Mch 5  
1901*



NO <sup>26</sup>

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. July 29, 1900.

Hon. David J. Hill,

Assistant Secretary of State

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 50 of May 21, 1900, asking for information of one Samuel Humphries who enlisted in the Orphans Light Artillery of the English Army and was last heard from in South Africa.

I beg to inform you that I find no trace of Humphries among the prisoners of war or in the list of the Red Cross.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert M. Hay

United States Consul.



*Wm. H. No. 24*

*Cons Bureau  
To advise Consul  
at Laurens Marquz*

Consulate of the United States,  
Pretoria

July, 30, ~~1900~~ .

Mr. Hay

To the Department of State.



Subject:

Referring to the status of Messrs Fraser and Chalmers  
and their to American protection.

*To Laurens  
Marquz  
Ackd by  
Jorn  
Mch 6  
1901*

Abstract of Contents.

This firm has not suffered during the war, shall be guid-  
ed by your statement if a case of need occurs.





NO 24

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. July 30, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 57 of May 28, 1900, referring to the status of Messrs Fraser and Chalmers and their <sup>right</sup> to American protection.

I am glad to say that this firm has not suffered during the war, but if a case of need occurs, I shall be guided by your statement.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert S. May

United States Consul.

No. 28

Consulate of the United States,  
Pretoria

Aug. I, 1900.

Mr. Hay

To the Department of State.



MAR 15 1901

Subject:

In reference to the citizenship of Henry S. Adams of Pilgrims Rest S.A.R.

To Hon Henry C  
Van Voorhis  
Ackd by him  
Mch 19  
1901

Abstract of Contents.

Sent a certificate of citizenship to this gentleman via Delagoa Bay, as there is no direct communication. Have no doubt that his neutrality will be respected.



Consulate of the United States.

Pretoria S.A. Aug. I, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Departments' despatch No 40 of April 20, 1900, referring to the citizenship of Henry S. Adams of Pilgrims Rest, S.A.R.

I beg to inform you that I have sent a certificate of citizenship to this gentleman via Delagoa Bay, as there is no direct communication.

I have no doubt but that his neutrality will be respected.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert M. Hay

United States Consul.

*Ans Bureau  
To advise interested  
party Cudler*

Consulate of the United States,  
Pretoria

Aug. 1, 1901.

Mr. Hay

To the Department of State.



*Subject:*

Referring to one Valentine B. Campbell, who is supposed to have enlisted in the Boer Army.

*To Hon. J. R. Williams  
Advised by from  
Mch 6  
1901*

*Abstract of Contents.*

Mr Campbell is not in the list of Americans who took the Oath of Allegiance, and he is not known to have come to this country either by the Authorities or by the Americans here.





46 29

Consulate of the United States.

Pretoria S.A. Aug. I, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Departments' despatch No 42 of April 24th. 1900. referring to one Valentine B. Campbell, who is supposed to have enlisted in the Boer Army in the Transvaal.

I beg to inform you that his name is not in the list of Americans who have taken the Oath of Allegiance, and he is not known to have come to this country, either by the Authorities or by the Americans here.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert B. Hay

United States Consul.

*Conf. D.*

No. 30  
DEPARTMENT OF STATE

MAR 21 1 06 PM 1901

CHIEF CLERK'S OFFICE  
RECEIVED  
Mr. Hay

Consulate of the United States,  
Pretoria

*Dep. Secy. &  
Cons. Mexican  
Substance to Mexican  
amb. referring his note  
of May 18, 1900 to  
Reply of May 18-*

Aug. 1. 1900 *file*

To the Department of State.

DIPLOMA  
MAR 25 1901  
BUREAU.  
ASST. SECRETARY.  
MAR 23 1901

Subject:

In reference to protection to be extended to a Mexican subject,

*Mexican Am-  
bassador informed  
March 27 C.*

Abstract of Contents.

The South African Republic agreed to this protection being extended. No cause has arisen, were need of protection was called upon.

*noted  
noted*

Consular Bureau  
MAR 25 1901

Consular Bureau.

MEMORANDUM.

Mr. Smith

No 30

CONSULATE OF THE UNITED STATES

PRETORIA S.A. Aug. 1, 1900

Hon. David J. Hill

Assistant Secretary of state,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 48 of May 18, 1900, referring to the protection to be extended to a Mexican subject in Pretoria, appending copies of the telegrams on the subject, and a note from the Mexican Ambassador.

I beg to inform you that the Government of the South African Republic agreed to this protection being extended but happily no cause has arisen, where protection was necessary.

I have the honour to be,

Sir,

Your obedient servant.

Abelbert H. Hay

United States Consul.



No. 31

Consulate of the United States,  
Pretoria

Aug. II, 1900

*Mr. Bureau  
File*

Mr. Hay

To the Department of State.



Subject:

Information from Hon. George F. Hoare that Anson M. Blenus had  
been heard from.

*Fis*

Abstract of Contents.

Communicated this information to the Military Authorities  
here, whom I asked to assist in the investigation.



No 3

CONSULATE OF THE UNITED STATES

PRETORIA S.A. Aug. 11, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 53 of May 23, 1900. enclosing a letter from the Hon. George F. Hoar, informing me that Anson M. Blenus referred to in the Department's Despatch No 46 of May 2, 1900. has been heard from.

I have communicated this information to the Military Authorities here, whom I asked to assist me in the investigation

I have the honour to be,

Sir,

Your obedient servant.

Hubert H. Hay

United States Consul.

*Caw B*

*lay*

DEPARTMENT OF STATE

AUG 17 9 32 AM 1900

TELEGRAM RECEIVED.

*Howp m...  
Aug 17*

CHIEF CLERK'S OFFICE



Rec'd August 17, 1900.

PO 4 K WA 14

Peretoria, (Pretoria)

SecState,

Washington.

Willis declines leave Johannesburg shall  
draw and pay money.

Amercan Consul.

12:15 A. M.

*Not Aug 29  
See letter to H. O.  
Coc*

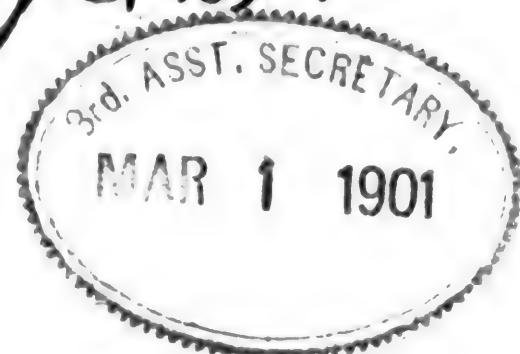
*\$1589 East*

No. 32

*Cons Bureau  
file*

Consulate of the United States,  
Pretoria

Aug. 21, 1900 ~~189~~.



Mr. Hay

To the Department of State.

*File*

*Subject:*

Enclosures returned which were sent to the Department in error.

*Abstract of Contents.*

Have noted contents and will be guided by them in future





NO 32

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. Aug. 21, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 56 of May 26, 1900, returning enclosures which I sent to the Department in error.

I have carefully noted the contents and shall be guided by them in the future.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert B. Hay

United States Consul.

*W. H. H.*  
No. 33

*Cons Bureau*  
*To advise interested*  
*party*

Consulate of the United States,  
Pretoria

Aug. 21 1900

Mr. Hay

To the Department of State.



Subject:

Letter from Mr Wm.R.Hassell and transmitting a letter to  
Capt.J.A.Hassell

*To W.R. Hassell*  
*Adm. Sec.*  
*March 5*

Abstract of Contents.

Capt.Hassell left for the United States, forwarded let-  
ter to his address there.



No 33

CONSULATE OF THE UNITED STATES-

PRETORIA S.A. Aug. 21, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 59 of May 29, 1900, enclosing copy of a letter from Mr Wm. R. Hassell and transmitting a letter addressed to Capt. J. A. Hassell.

Capt. Hassell has left Pretoria for the United States and I have forwarded the letter to his address there.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert H. Hay

United States Consul.

No. 34

Consulate of the United States,  
Pretoria

*Cons Bureau  
to advise Mr.  
Saunders referring  
his letter June 25*

Aug. 26, 1900, ~~1900~~.

Mr. Hay

To the Department of State.



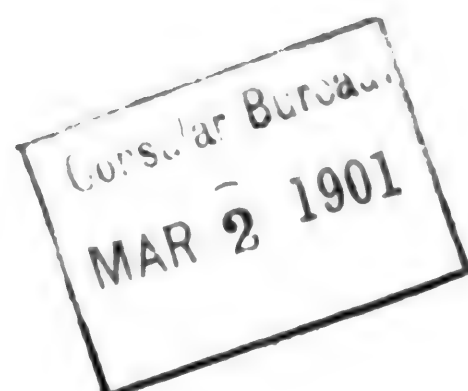
Subject:

Requesting information of one John S. Saunders of Lumadens  
Horse who was captured by the Boers, and enclosing a letter  
from Morley S. Saunders

Abstract of Contents.

Mr Saunders left for England, having been released by  
the British occupation of Pretoria.

*To M. S. Saunders  
Ackd by  
G. W. M.  
Mch 5  
1901*





NO 34

CONSULATE OF THE UNITED STATES

PRETORIA S.A. Aug. 26, 1900.

Hon. David J. Hill.

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 66 of June 29, 1900, requesting information of one John S. Saunders, Lumsdens Horse who was captured by the Boers, and enclosing a letter from Morley S. Saunders.

I beg to inform you that Mr Saunders has gone to England, having been released at the time of the British occupation of Pretoria.

I have the honour to be,

Sir,

Your obedient servant.

Herbert H. Hay

United States Consul.

*Cay*  
No. 35

Consulate of the United States,  
Pretoria

Aug. 27, 1900, ~~189~~.

Mr. Hay

To the Department of State.



*File*

*Subject:*

Information from Department of State that George Pratt photographer, about whom the Department wired on June 14th had been heard from. Telegraphed on this connection, Pratt here, very well.

*Abstract of Contents.*

Cable was despatched from Cape Town on July 6th, no messages were received here at that time.



NO 35

CONSULATE OF THE UNITED STATES

PRETORIA S.A. Aug. 27, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 67 of June 30, 1900, informing me that George Pratt, photographer, about whom the Department wired on June 14th, had been heard from. On this connection I telegraphed as follows-Pratt here, very well.

This cable was despatched from Cape Town on July 6th, as no messages were received here at that time.

I have the honour to be,

Sir,

Your obedient servant,

Adelbert B. Hay

United States Consul.

from  
Pretoria

No. 36

# 36-728/900

Cons Bureau  
to advise Gen of  
Map referring his  
letter of June 12

States,  
Pretoria

Aug. 28, 1900

Mr. Hay

State.



190

Bureau of Indexes and Archives.

Enq

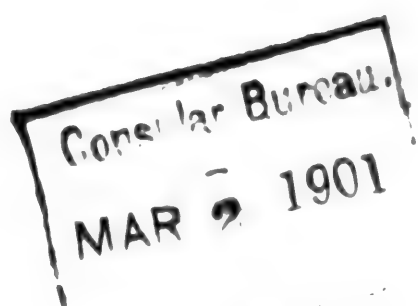
ent whereabouts of F.W.

Vernor by the Governor of Massachusetts

To Gov Mass  
Ackd 10/1  
for  
March 5  
1901

Abstract of Contents.

Letter received after the British occupation of Pretoria  
have written to Amer. Consul at Lourenco Marques to find out  
from Boer refugees, something about the man.





No. 36

Consulate of the United States,  
Pretoria

Cons Bureau  
to advise Gen of  
Map referring his  
letter of June 12

Aug. 28, 1900

Mr. Hay

To the Department of State.



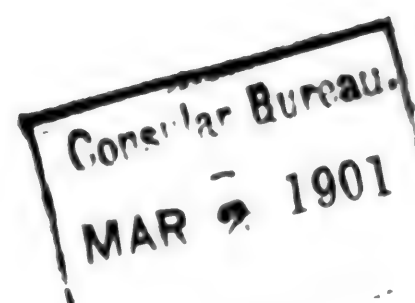
Subject:

Enquiry in regard to the present whereabouts of F.W.  
Vernor by the Governor of Massachusetts

To Gov Mass  
Ackd by  
for  
Mch 5  
1901

Abstract of Contents.

Letter received after the British occupation of Pretoria  
have written to Amer. Consul at Lourenco Marques to find out  
from Boer refugees, something about the man.



No 36

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. Aug. 28, 1900.

Hon David J. Hill

Assistant Secretary of State

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 62 of June 16, 1900 with the copy of a letter from the Governor of Massachusetts enclosed, inquiring in regard to the present whereabouts of F.W. Vernor, who was supposed to have enlisted in the Boer Army in Pretoria.

I regret that this was received after the British occupation and it is very hard to trace the said Vernor.

I have written to the Amer. Consul at Lourenco Marques to try and find out something about the man, from refugees from the Boer forces.

I have the honour to be,

Sir,

Your obedient servant.

Richard H. May

United States Consul.

37 No. 34

Ans Bureau  
To advise Mr. Deering-  
ham at Auckland  
referring his note.

Consulate of the United States,  
Pretoria

Aug. 28, 1900 ~~189~~.

Mr. Hay

To the Department of State.



Subject:

Despatch from the Consulate Auckland, re providing com-  
ports for New Zealand prisoners of war.

Abstract of Contents.

Everything has been done, which is possible, under the  
regulations set down by the authorities.

To Auckland  
Ackd by  
from  
Mch 2  
1901



NO 3-7

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. Aug. 28, 1900

Hon. David J. Hill,

Assistant Secretary of State.

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch No 60 of June 11, 1900, referring to telegram of Apr. 20, and enclosing copy of despatch from the Consulate Auckland, re providing comforts for New Zealand prisoners of war.

I beg to inform you that everything has been done which is possible, under the regulations set down by the authorities.

I have the honour to be.

Sir,

Your obedient servant

Hubert S. Hay

United States Consul.



No. 38

Consulate of the United States,  
Pretoria

Aug. 28 1900

*Cons Bureau  
file*

Mr. Hay

To the Department of State.



Subject:

Information that Mr John Shiels a British subject has been released and that no further steps need be taken in the matter

*file*

Abstract of Contents.



No 38

CONSULATE OF THE UNITED STATES.

PRETORIA S.A. Aug 28, 1900

Hon. David J. Hill,

Assistant Secretary of State.

Washington.

Sir:

I have the honour to acknowledge the receipt of the Department's Despatch NO 61 of June 13, 1900, informing me that Mr John Shiels, a British subject has been released and that no further steps need be taken, in the matter.

I have the honour to be,

Sir,

Your obedient servant,

Adelbert B. Hay  
United States Consul.

*Cons Bureau File.  
So soon Mrs Lossberg*

*No. 39*

Consulate of the United States,  
Pretoria

Sept. 1, 1900, ~~1899~~

Mr. Hay

To the Department of State.



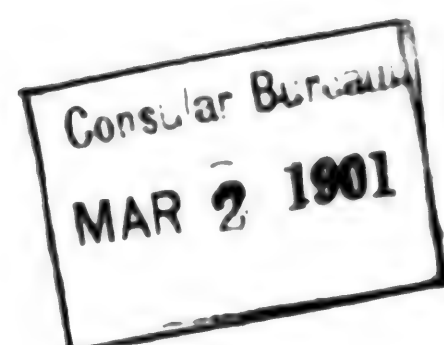
Subject:

Letter from Mrs Otto von Lossberg of New Orleans regarding sum of money sent to her by her husband which he asked me to send.

Abstract of Contents.

Money was send through private channels.

*To Mrs Otto  
von Lossberg  
Ackd by  
Gorn  
Mch 5  
1901*



No 37

CONSULATE OF THE UNITED STATES

PRETORIA S.A. Sept. 1st 1900

Hon David J. Hill

Assistant Secretary of State,

Washington.

Sir:

I have the honour to acknowledge the receipt of the Departments despatch No 68 of July 7, 1900, enclosing a letter from Mrs Otto Von Lossberg of 1018 North Rampart St. New Orleans regarding a sum of \$25 which her husband asked me to send to her.

I beg to inform you that this money has been sent to her through private channels and has probably reached her before this time.

I have the honour to be ,

Sir,

Your obedient servant,

Hubert H. Hay

United States Consul.



*Cons Bureau  
to adv Mr Mason*

No. 40

Consulate of the United States,  
Pretoria

Sept. 1, 1900 ~~489~~

Mr. Hay

To the Department of State.



Subject:

Correspondence between Hon. W. E. Mason and the M. C. Bullock Manufacturing Company in regard to the protection of machinery consigned to Johannesburg.

Abstract of Contents.

That the M. C. Bullock Company stock is safe.

*To Hon W E  
Mason*

*Ackd by form  
Mch 1  
1901*



Consulate of the United States.

Pretoria S.A. Sept. 1, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Departments' despatch No 51 of May 21st. 1900. enclosing copies of correspondence between Hon. W. E. Mason and the M. C. Bullock Manufacturing Company in regards to the protection of machinery consigned to Johannesburg by the Company.

I beg to inform you that Mr Gordon, U.S. Consular Agent at Johannesburg, has done his utmost to protect American <sup>that</sup> property during the war and the M. C. Bullock Company stock is safe.

I have the honour to be,

Sir,

Your obedient servant,

Abraham S. Hay

United States Consul.

*Cons. Bureau  
to advise interested  
parties*

Consulate of the United States,  
Pretoria

Oct. 6, 1900 ~~1899~~

*Cons.  
No. 41*

Mr. Hay

To the Department of State.



*To Hon. S.B.  
Cooper.  
Acted by for  
Mch 6  
1901*

Subject:

Letter from Hon. S.B. Cooper and Charles McFarlane asking  
for information of one Warren McFarlane of Johannesburg.

Abstract of Contents.

This gentleman quite well and at Johannesburg, instructed  
U.S. Consular Agent Johannesburg to advise him to write to his  
relatives.



No 41

CONSULATE OF THE UNITED STATES

PRETORIA S.A. Oct. 6, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Department's despatch No 63 of June 19, 1900, enclosing copies of letters from Hon. S. B. Cooper and Charles McFarlane asking for information of one Warren McFarlane of Johannesburg.

I have ascertained that this gentleman is quite well and at Johannesburg and I have instructed the U.S. Consular Agent at that place to advise him to write to his relatives.

I have the honour to be,

Sir,

Your obedient servant

Adelbert S. Hay

United States Consul.



*"Pretoria," I.A. Cons. Bur*

TELEGRAM RECEIVED.

DEPARTMENT OF STATE

OCT 16 9 14 AM 1900

CHIEF CLERK'S OFFICE

PO WH KQ WA 12 Words.

*Ans. by tel.  
Oct 16*

Pretoria, October 15, 1900.

SecState,

Washington.

No answer Willis money. Shall I pay hundred?

American Consul.

10:19 P.M.

*Cor  
Oct*

DEPARTMENT OF STATE  
No. 42

MAR 21 1 07 PM 1901

CHIEF CLERK'S OFFICE  
RECEIVED

Consulate of the United States  
Pretoria

Nov. 1, 1900, ~~1899~~

Mr. Hay

To the Department of State.

*Subject:*

Letters of Mrs Emma Spanier about her husband, Harry  
Spanier who was killed near Lady Smith

*Abstract of Contents.*

Forwarded certificate of his death to Mrs Spanier, which 1901  
has not reached her. All his papers etc. kept here until a  
favourable opportunity offers for transmission.

To Mrs Emma  
Spanier  
Ackd by  
G. M.  
Mch 26

Consular Bureau  
MAR 25 1901



Consulate of the United States

Pretoria S.A. Nov. I, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Departments' despatch No 70 of Aug, 10, 1900. referring to letters of Mrs Emma Spanier about her husband Harry Spanier, who was killed near Ladysmith.

I beg to inform you that in April last I forwarded a certificate of his death direct to Mrs Spanier, which evidently has not reached her, and I am, now holding a packet of his letters and papers until a favourable opportunity for transmission, the mails being very uncertain for packages.

I shall write Mrs Spanier direct with reference to this matter.

I have the honour to be, Sir,

Your obedient servant,

Hubert H. Hay

United States Consul.

*Pretoria* S.A. Cons. R.  
*Confirma*

TELEGRAM RECEIVED.

DEPT. OF STATE

NOV 14 9 16 AM 1900

CHIEF CLERK OFFICE

*Ask by tel. report*

NOV 14 1900

Cable CB KQ WA 11 Via Eastern & Azores,

Pretoria, Rec'd Nov. 13, 1900.

John Hay,

Washington.

Congratulate president. Should like leave end Dec.

Hay.

*To Auditor & confirmed  
Nov. 15-1900*

10:45 P.M.



*Cons Bureau  
To Mr Pruyne &c*

No. 43

Consulate of the United States,  
Pretoria

Nov. 29 ~~1900~~ 1899.

Mr. Hay

To the Department of State.



*Subject:*

Money sent by Mr J.V.L.Pruyn of New York for relief of  
the widows and orphans of Boers who are suffering.

*Abstract of Contents.*

Encloses acknowledgment for Mr Pruyne from the Nether-  
lands Relief Society.

*To J V L Pruyne  
Ackd by form  
Mch 6  
1901*



Consulate of the United States

Pretoria S.A. Nov. 29, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, D.C.

Sir:-

I beg to acknowledge the receipt of the Departments despatch No 65 of June 26, 1900, enclosing a copy of a letter from Mr J.V.L. Pruyn and a draft for fifty six dollars payable to my order, for the benefit of the widows and orphans of Boers who are suffering.

This amount I handed to the Netherlands Relief Society and now I have received an acknowledgment from the Secretary of that Society addressed to Mr Pruyn, which I shall be glad if you will forward.

I have the honour to be,

Sir,

Your obedient servant.

Adelbert B. Hay

United States Consul.

*ft.*

No. 44  
DEPARTMENT OF STATE

1 1 08 PM 1901

CLERK'S OFFICE

RECEIVED  
Mr. Hay

*Cons Bureau  
Substance to ship  
Monat referring to  
her letter of Oct 6, 1900*

Consulate of the United States,  
Pretoria

Dec. 1, 1900, ~~1900~~.

To the Department of State.



Subject:

Letter from Miss Monat re certain legal documents sent  
to this office.

*To Margaret C  
Monat  
Ackd by fms  
Mch 26  
1901*

Abstract of Contents.

Documents arrived at a time when Orphan Master could  
not act in the matter, are on file at this office, will be  
attended to on the reopening of the Orphans Masters Depart-  
ment.

*all 6  
m.*



*Cons. Bureau*  
*Substance to copy*  
*Felker*  
No. 45

Consulate of the United States,  
Pretoria

Dec, 1 1900, ~~409~~.

Mr. Hay

To the Department of State.



*Subject:*  
Complaint by Miss May Felker of Johannesburg against Mr.  
W.D. Gordon Consular Agent of that place .

*To Miss*  
*May Felker*  
*Adm'd by form*  
*Mch 6*  
*1901*

Abstract of Contents.

Allegations made against Mr Gordon are absolutely untrue  
and majority of Americans have perfect trust in his ability  
and integrity.





No 45

Consulate of the United States

Pretoria S.A. Dec. I, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I have the honour to acknowledge the receipt of the Departments' despatch No 74 of Sept. 18, 1900, enclosing copy of a letter from Miss May Felker of Johannesburg, complaining of the action of Mr W.D. Gordon Consular Agent at that place.

I beg to inform you that the affair has arisen from a personal matter which Miss Felker omits to mention, but which is described in the enclosed letter from Miss Felker's standpoint.

A sum of money was to have been sent to her through Mr Gordon, but this was not done, the money being sent through another channel. Miss Felker went to see about this money and considered herself insulted by something that Mr Gordon said.

I do not hesitate to say that the allegations in Miss Felkers' letter, about improper persons having bought passports, are absolutely untrue, as I know that Mr Gordon is very strict in receiving applications for passports and has in several instances taken up passports where they were improperly held.

I admit that his personal sympathy was inclined toward the Boers in some cases, but I am certain that he never allowed his sympathy to show in his official acts.

He was a member of the Mines Committee, with a representative of French and of German interests, who did as much to protect the mines as anyone in the Transvaal, and resigned when Mr Klimke, who was State Mining Engineer, was displaced by Munnik an unscrupulous man, who tried to undo all the good done by the Committee.

It was through Mr Gordons' efforts that a great number of bills were paid to firms supplying the mines.

I have perfect trust in Mr Gordons' integrity and ability, and I believe that my opinion is shared by the majority of Americans in this country.

I have the honour to be, Sir,

Your obedient servant.

Adelbert S. Hay

United States Consul.

Johannesburg,  
April 27-1900.

U. S. Consul Hay,  
Pretoria.  
Z. A. R.

Dear Sir, -

Will you kindly  
note the extract from a letter  
received by me from a friend  
in Cape Town, on the 24<sup>th</sup> Apr. 1900?

"United States Consulate  
Cape Town, 30/3-1900."

"Over two months ago I asked  
Harvey to tell Gordon to let you  
have five pounds a month and  
I would pay his agent here, but  
not getting any acknowledgement  
within a week or two I sent  
twenty pounds through other  
sources and trust they will reach  
you, anyhow, in safety. When you  
write ask Gordon to forward your



letter with his <sup>2</sup>official correspon-  
dence. With kind remembrance  
to the Gordons, I am  
Yours very sincerely  
Thos. Watson!"

When I called on Mr Gordon the  
23<sup>rd</sup> of April - the above letter had  
been left at my home during  
my absence the day before - I  
found him in his office alone.

I said I had come to thank  
him for the letter and to make  
inquiry regarding the five  
pounds mentioned. I asked  
him if he had read the letter -  
he said "yes" but he did not  
seem to remember anything  
about the five pounds. I said  
will you read it again and  
explain. He said - "that is the  
first <sup>that</sup> I have heard of the five  
pounds but our agents, Munn & Skagen,  
do not amount to much, we  
have not much dealing with  
them, but if you are in need  
of money I can let you have

some and Mr. W. can pay me  
when he comes back to Johannes-  
burg for I would rather he owed  
me ~~nothing~~ than those men."

I replied I had no need of more  
money for I had received 15 pounds  
of the 20 sent by de Waal's for-  
warding agent at Port Natal  
Bay. That I had not called to ask  
for more but if any one sent me  
money it was mine, and I  
wished to find out where it was  
and to thank my friend for it.  
I said if Mr. W. said he had sent  
money it was true, for I had  
never heard any one doubt his  
word. Mr Gordon said - "if W. said  
so, it is so."

I had signed receipts for the 15 -  
I had of de Waal's agent but did  
not know where to find the  
office, or agent to inquire about the  
other five. Mr. Gordon said, he  
knew the man and would  
ask him about it and let me  
know in a day or two. I wait-  
ed two days, heard nothing



and then called on<sup>4</sup> Mr. Gordon again. He told me where to find de Waal's agent. I called and found them courteous saying they had already written to de la Rive about the money.

Then I went back to Mr. Gordon and asked him the name of his agents in Cape Town. the following conversation occurred.

Mr. Gordon, "I do not know the name of my agents."

Mrs. G. "But Mr. Gordon you told me their names day before yesterday."

Mr. G. "Impossible for I do not know their names"

Mrs. G. "Mr. Gordon and did you not also say that if I needed money you would let me have it for you would rather Mr. W. owed you than those men?"

Mr. G. "I did not. You must not put words in my mouth."

Mrs. G. "Mr. G. Mr. G. think what you are saying! Do you mean to persist in giving me the lie right in my face; the first time I have ever had such a thing occur! I am so sorry for you."

Mr. G. "I do not want your sympathy. I have my reputation

in Johannesburg.<sup>8.</sup>  
Miss F. "Now that you speak of it, you  
have and an awful one it is."

Mr. S. "I withdraw the offer I made  
you the other day."

Miss F. "I did not accept the offer you  
made the other <sup>day</sup>. I did not come  
to you for favors, I came to you  
as the servant of the Nation  
whose daughter I am. And  
I will tell you one thing that  
never again as long as I live  
will I have an interview  
with an American without  
a witness being present. This  
is shameful & abhorrent. There  
is only your word against mine  
if I appeal."

When the Book-keeper came in  
he and Mr. Gordon went thro'.  
the farce of getting down the  
Directory and spelling the  
names from it—as one name.  
& suppose to mislead me. For I  
said, "you said two men's names  
the other day". I only wanted  
the names to break a civil

inquiry about the remittance  
and I can see no possible reason  
why they should be withheld  
no one can make me believe  
a man does not know the  
name of his own or firm's  
agents!

I consider the above treatment  
most cruel and unfair.

I am going to leave this  
letter with Mr. Hall to give  
you when you are not so  
busy, I have also told  
him the whole circumstance

Sincerely yours

May Felker

13 Rock Street,  
Hospital Hill  
Johannesburg.

Home address

Essexville, (suburb of Bay City)  
Michigan  
U.S.A.



on file

DEPT. No. 46

MAR 21 1 07 PM 1901

CHIEF CLERK'S OFFICE

RECEIVED

Mr. Hay

Consulate of the United States,  
Pretoria

Dec. I, 1900

3rd. ASST. SEC.

MAR 23

Cons. Bureau  
Substance to Mr. Pretorius  
referring to his letter of  
April 3. 1900 & sending  
those two letters  
C

To the Department of State.

Subject:

Money sent by Mr Emil Pretorius of St. Louis for trans-  
mission to President Kruger, for widows and orphans of Boers  
of the present war.

Abstract of Contents.

Money was handed to the Netherlands Relief Society, as  
instructions arrived after occupation of Pretoria by Bri-  
tish and the departure of President Kruger.

Encloses letter for Mr Pretorius.

To Emil Pres-  
torius  
with letters  
ackd by  
from

Mar 26  
1901

Consular Bureau.  
MAR 25 1901



No 46

Consulate of the United States

Pretoria S.A. Dec. I, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington, D.C.

Sir:-

I have the honour to acknowledge the receipt of the Department's despatch No37 of April 16, 1900, enclosing the copy of a letter from Mr Emil Pretorius, transmitting a letter to President Kruger in which is enclosed a draft for one hundred pounds stg. to be used in assisting the Boer widows and orphans of the present war.

I regret to inform you that this instruction arrived after the occupation of Pretoria by the British forces, and the departure of the payee.

I wrote to President Kruger's secretary to ascertain his wishes as to the disposal of the draft but received no answer, so I have handed it to the Netherlands Relief Society whose object is to relieve the suffering of the women and children made destitute by the present war.

CONFIDENTIAL.

I may add confidentially that after enquiry of the Relief Society and a member of the committee appointed to look into the needs of applicants for charity, I firmly believe that none of the other sums sent by Mr Pretorius were used in the desired way but were deposited in the Treasury for war purposes.

The Netherlands Relief Society have presented the draft to the Standard Bank for collection and I have made myself personally responsible for the payment of the draft.

I enclose a letter to Mr Pretorius which I will be glad if you will cause to be delivered.

I have the honour to be,

Sir,

Your obedient servant

Hubert H. Hay

United States Consul

No 44

Consulate of the United States

Pretoria S.A. Dec. 3, 1900.

Hon. David J. Hill.

Assistant Secretary of State

Washington, D.C.

Sir:-

I have the honour to acknowledge the receipt of a telegram enquiring as to the disposition of the sum of nine hundred and three dollars collected by Mr T.B. Thiele for the benefit of the widows and orphans of Boers who have fallen in the present war, and to confirm my answer as follows - "Drawn Thiele moneys handed Relief Society widows orphans -" sent December 3rd.

I beg to refer to the Department's despatch No43  
24  
of April 27<sup>th</sup>, 1900 instructing me to draw on the Secretary of State for the above amount, and to hand it to President Kruger.

This despatch reached me after the President left Pretoria and I wrote to his Secretary via Lourenco Marques to ascertain his wishes on the subject, I received no reply and after President Kruger had left the country, I decided that it would be better to place the money in the proper

hands for distribution as intended.

To this end I handed the money to Mr H.C.Jorissen  
Secretary and Treasurer of the Netherlands Relief Society  
whose object is to assist those who have suffered from the  
war,

I am enclosing a letter addressed to Mr Thiele  
transmitting an acknowledgment from the Society.

• I have the honour to be,

Sir,

Your obedient servant

Hubert H. Hay

United States Consul.



*Long*  
DEPARTMENT OF STATE

TELEGRAM RECEIVED.

*Ant. Bureau  
Confirm  
So de Thiel  
checked  
done Dec 7*

DEC 5 9 10 AM 1900

Postal WH KQ WA 12 Via Eastern & Azores,

CHIEF CLERK'S OFFICE

Pretoria, Dec. 4, 1900.

SecState,

Washington.

Drawn Thiel money hundred relief Society widows  
orphans.

*[Handed?]*

American Consul.



11:07 P. M.

*See telegram Nov 20-1900 to Pretoria  
See Thiel letter  
Apr 16-1900  
Nov 14, 1900*

Office of the  
Third Assistant Secretary.

My Bureau -

To advise Mr Thiel  
referring to our letter of  
Sept. 1, 1900.

Mr's Dept. has  
not yet been received but  
in anticipation of its  
arrival the money ~~you~~  
forwarded with the ~~report~~  
be retained to pay it upon  
presentation -  
C. H. C.

DEPARTMENT OF STATE

DEC 8

9 56 AM 1900

TELEGRAM RECEIVED.

CHIEF CLERK'S OFFICE

WU 2 VS WA 10 Govt.

Pretoria, Dec. 7, 1900.

John Hay,

Washington.

Will you send man here instead

Hay.

11:50 P. M.

Solicitor

No. 48

Consulate of the United States,  
Pretoria

Dec. 23, 1900<sup>189</sup>.

Mr. Hay

To the Department of State.



Caus  
Mch 7  
1901

Subject:

Concerning a printing press shipped to the Standard and Diggers News of Johannesburg by the Goss Printing press Company.

Abstract of Contents.

Encloses copy of letter from Standard and Diggers News U.S. Consular Agent at Johannesburg has protected press in every way, as being American property. As British Military Authorities are using machine what action must be taken in the matter.







Consular Bureau:-

Acknowledge and say,-----

It would appear from the contents of your despatch that the British Government is probably liable for the act of their military authorities in taking possession of and using the printing press referred to. Perhaps the British Commander or the British High Commissioner in South Africa will, if the matter is brought to his attention, be authorized and feel disposed to take steps looking toward the indemnification of the owners of the machine for its use and for any damage thereby sustained.

You may bring the matter to the attention of the British Commander or of the High Commissioner, in the exercise of your discretion and in accordance with the tenor of this instruction.

*N L P*

No 48

Consulate of the United States

Pretoria S.A. Dec. 30, 1900.

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I beg to refer to the Department's instructions No 9 of Jan. 12th and my unnumbered despatch of April 5th with copy of letters from the Standard and Diggers Co. concerning a printing press shipped to the Standard and Diggers News by the Goss Printing Press Company.

I enclose herewith copy of the above mentioned letter and beg to inform you that the U.S. Consular Agent at Johannesburg has protected the press in every way, as being American property but that the British Military Authorities have been using it since the occupation, for the printing of the Johannesburg Government Gazette for which they charge six-pence.

As there is a certain amount of wear on the Machine, I beg that you will advise me what action to take in the matter.

(Over)

I have the honour to be,

Sir,

Your obedient servant.

Herbert H. Hay

United States Consul.

1000 000 10 0000

Consulate of the United States  
Pretoria Jan. 16, 1901.



Hon. David J. Hill,

Assistant Secretary of State  
Washington.

Sir:-

I enclose herewith copy of a letter from the Standard and Diggers, which I submitted to enclose in Despatch No 48 of Dec. 30th 1900.

I have the honour to be

Sir

Your obedient servant.

Richard H. Hay

United States Consul.





(Copy)

The Standard & Diggers News

Johannesburg

March 26, 1900,

Gordon Esq

Consul of the United States

Johannesburg.

Dear Sir:-

In confirmation of our, Mr Mendelssohn's interview with you regarding the interests of Messrs Goss & Co of Chicago, we herewith place on record the following matter.

Mess Goss & Co of Chicago erected in July 1899 in our printing works Rissik Street, one of their large printing machines, under agreement by signed contract, that until such Printing Machine was paid for by us, it remained their absolute property. Owing to present war and the great difficulty of remitting money from here, we have not yet paid for this Printing Machine, the value of which with appurtenances is about £4000 or 20,000 thousand dollars, as it is possible some attempt may be made by irresponsible persons before or after probable British invasion to damage this Machine we would request you to kindly to take all necessary steps, should occasion arise, to protect Mess Goss & Co property, in your capacity of United States Consul, against any damage or possible destruction. If you will kindly us with a call we will point out to you, the Printing Machine, and all requisites connected therewith, all representing the property of Mess Goss & Co Chicago, who by last mail have already advised us, that they have given the necessary instructions to the United States Govt. to have their property looked after.

We therefore trust y u will kindly attend them your Consular protection in case of necessity. and remain

Dear Sir

Yours faithfully

Mendelssohn & Bruce

Signed

Bruce

*Confidential*

No. 49

DEPARTMENT OF STATE

MAR 21 1 06 PM 1901

Consulate of the United States,  
Pretoria  
CHIEF CONSUL'S OFFICE

RECEIVED

*Cons Bureau  
Ack by Tully & X  
file*

Dec. 30, 1900

Mr. Hay

To the Department of State.



Subject:

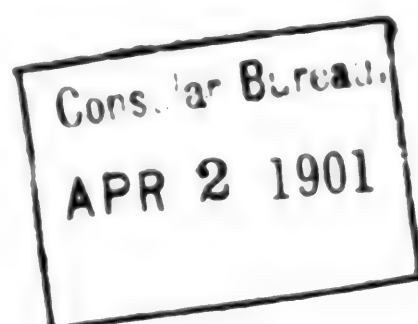
Constitutional Laws of the South African Republic.

*Ack'd by  
Tully*

*Apr 3  
1901*

Abstract of Contents.

Encloses Constitution and Naturalization Laws of the South African Republic. Could not get same laws of the Orange Free State.



Office of the  
Third Assistant Secretary.

Dear Mr Secretary:

You desired them. Shall  
I have them translated

now

Secretary of State,  
APR. 27 1900

Cordell

File for the present

JH

4049

Consulate of the United States

Pretoria S.A. Dec. 30, 1900

Hon. David J. Hill,

Assistant Secretary of State,

Washington.

Sir:-

I beg to enclose copies of the Constitution and Naturalization Laws of the South African Republic.

I obtained these through the British Intelligence Department who have also tried but unsuccessfully, to get the same laws of the Orange Free State.

I have written to the United States Consular Agent at Bloemfontein asking him to endeavour to obtain these documents and mail direct to the State Department.

I have the honour to be,

Sir,

Your obedient servant.

Arthur H. Hay

United States Consul.



# WET N<sup>o</sup>. 3, 1899,

*goedgekeurd door den EdelAchtbaren Kersten Volksraad  
bij art. 559 zijner notulen, dd. 19 Juli 1899.*

## **betreffende naturalisatie en vol stemrecht,**

Nademaal de wenschelijkheid gebleken is zekere bepalingen der wetten met betrekking tot naturalisatie en het verkrijgen van het volle stemrecht te wijzigen en nader te omschrijven, en

nademaal deze wijzigingen geen uitstel kunnen lijden om in termen van art. 12 der Grondwet 3 maanden vooraf gepubliceerd te worden en zij reeds in beginsel door het volk zijn goedgekeurd,

Zij het hierbij vastgesteld als volgt:

Art. 1. Ieder blanke mannelijke vreemdeling, den ouderdom van 16 jaar bereikt hebbende, die zich in de Zuid-Afrikaansche Republiek metterwoon vestigt of gevestigd heeft, zal voortaan brieven van naturalisatie kunnen verkrijgen, mits vooraf voldaan hebbende aan de volgende bepalingen en voorwaarden:

- a. De applicant zal overleggen een certificaat van den Veldcornet en den Landdrost van zijne wijk en district, mede onderteevend door den commandant van het district, om aan te toonen dat hij minstens den tijd, in zijn geval vereischt, voorafgaande aan naturalisatie, voortdurend op de Veldcornetslijsten was geregistreerd, gedurende dien tijd binnen de Zuid-Afrikaansche Republiek woonachtig (gedomicilieerd) was geweest en gedurende dien tijd zich gehoorzaam aan de wetten des lands heeft gedragen en geen misdaad tegen de onafhankelijkheid der Zuid-Afrikaansche Republiek heeft gedaan.

Waar de Veldcornet en Landdrost van hun persoonlijke kennis niet in staat zijn zoodanig certificaat uit te reiken, zullen zij zulks doen op beëdigde verklaringen van den applicant en twee notabele volstemgerechtigde burgers van de wijk en district, ten effecte dat applicant gedurende den vereischten tijd

in de Zuid-Afrikaansche Republiek is woonachtig (gedomicilieerd) geweest en zich gedurende dien tijd gehoorzaam aan de wetten des lands heeft gedragen en geen misdaad tegen de onafhankelijkheid der Zuid-Afrikaansche Republiek heeft gedaan.

Waar de Veldcornet en Landdrost of de Commandant weigeren zoodanig certificaat uit te reiken of te onderteekenen, zal de applicant kunnen appelleeren naar den Uitvoerenden Raad.

Waar de Veldcornetsboeken vernield of verlegd zijn zal de applicant door beëdigde verklaringen ten genoegen van den Staatssecretaris en den Staatsprocureur kunnen bewijzen dat hij geregistreerd was geweest.

- b. De applicant zal eene beëdigde verklaring van zichzelf overleggen ten effecte dat hij geen onteerend vonnis tegen zich gehad heeft en verder bewijs overleggen van goed gedrag.

Door onteerend vonnis zal verstaan worden eenig vonnis voor de misdaden van hoogverraad, moord, verkrachting, diefstal, bedrog, meened of vervalsching.

- c. De applicant zal bewijs overleggen dat hij onbelast vast eigendom bezit, ter waarde van £150, of huishuur betaalt ten bedrage van £50 per jaar, of vast salaris of loon trekt van £100 per jaar, of een zelfstandig bestaan vindt door landbouw of veeteelt.

- d. De te naturaliseeren persoon zal vóór de officieele uitreiking der brieven van naturalisatie den volgenden eed afleggen, waardoor hij zal beschouwd en genomen worden afstand te doen en aftezien van alle burgerrechten genoten in — en burgerplichten en onderdanigheid verschuldigd aan eenigen anderen staat of vorst:

« Ik zweer (of: Ik verklaar plechtig dat het afleggen van eenen eed naar mijne geloofsovertuiging niet geoorloofd is en belooft) plechtig in alle oprechtheid en in termen van Wet No. 3, 1899, waarmee ik verklaar dat ik bekend ben, dat ik dezen Staat getrouw zal zijn, zijne onafhankelijkheid zal eerbiedigen en ondersteunen, mij aan de Grondwet en andere wetten en de wettige autoriteiten des lands zal onderwerpen en



ceerd worden, een en ander onder dezelfde bepaling en strafbedreiging als in het vorige artikel uiteengezet.

Wenscht zulk een persoon alsdan na verloop van de zeven jaren zijn brieven van naturalisatie met vol stemrecht te verkrijgen, dan zal hij ook minstens 6 maanden voor het verstrijken van dien termijn, daarvan schriftelijk kennis geven aan den Staatssecretaris door tussenkomst van den Veldcornet en Landdrost van zijne wijk en district.

Ook die kennisgeving zal door den Veldcornet aan den Staatssecretaris opgezonden en door dezen in de *Staatscourant* gepubliceerd worden een en ander onder dezelfde bepaling en strafbedreiging als in artikel 2 uiteengezet.

De applicant zal alsdan bij zijn aanzoek om de brieven van naturalisatie met vol stemrecht verder het bewijs overleggen dat hij de kennisgeving volgens den vorm van schedule A, bedoeld in de eerste alinea van dit artikel, had ingediend; voor welk bewijs het genoegzaam zal zijn een exemplaar van de *Staatscourant* te produceeren, waarin de publicatie van die kennisgeving was geschied.

Art. 4. Ieder persoon, die zich vóór de inwerkingtreding van deze wet in de Zuid-Afrikaansche Republiek metterwoon heeft gevestigd, zal bij voldoening aan de voorwaarden van art. 1, brieven van naturalisatie met het volle stemrecht kunnen verkrijgen na verloop van minstens zeven jaren na zijne vestiging.

In geval applicant niet binnen zes maanden na de inwerkingtreding dezer Wet tot het volle stemrecht gerechtigd is, zal hij bewijs overleggen dat hij binnen zes maanden na de inwerkingtreding eene schriftelijke kennisgeving heeft ingediend bij den Veldcornet van zijn wijk van zijn voornemen om zich te laten naturaliseeren.

Bij verzuim van indiening van deze kennisgeving, volgens vorm in schedule A vervat, of bij afwezigheid van het certificaat bedoeld in art. 1 sub a, zal applicant niet gerechtigd zijn tot het volle stemrecht in termen van dit artikel, maar alleen in termen van artikel 2 of 3.

Zoodanige kennisgeving zal door den Veldcornet aan den Staatssecretaris worden opgezonden en door dezen in de *Staatscourant* worden gepubliceerd, een en ander onder dezelfde bepaling en strafbedreiging als in artikel 2 uiteengezet.

Indien hij reeds bij de inwerkingtreding dezer wet genaturaliseerd is, zal hij het volle stemrecht kunnen verkrijgen, vijf jaren na datum van zijne naturalisatie, of desverkiezende, volgens de bepalingen van alinea 1 van dit artikel.

Art. 9. Alle wetten en bepalingen voor zoover in strijd met deze wet worden hiermede herroepen.

Art. 10. Deze wet treedt in werking dadelijk na publicatie in de *Staatscourant*.

S. J. P. KRUGER,  
Staatspresident.

F. W. REITZ,  
Staatssecretaris.

Gouvernementskantoor,  
Pretoria, 26 Juli 1899.

Wet no....., 1899.  
Schedule A.

Ik ..... thans woonachtig  
te..... in de Zuid-Afrikaansche  
Republiek, vroeger woonachtig te.....  
in ....., van beroep  
....., verkiezende voor goed in de Zuid-  
Afrikaansche Republiek te blijven wonen, geef hiermede  
te kennen, dat ik ..... jaren na datum dezer, ap-  
plicatie zal maken voor brieven van naturalisatie met het  
volle stemrecht en verklaar, dat ik bekend ben met de  
verplichting door Wet No....., 1899, op mij gelegd  
om aan de wetten te gehoorzamen en geen misdaad te doen  
tegen de onafhankelijkheid der Zuid-Afrikaansche Re-  
publiek.



# GRONDWET <sup>1)</sup>

## VAN DE

### ZUID-AFRIKAANSCH REPUBLIEK.

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#### ALGEMEENE BEPALINGEN.

(\*) ART. 1 (1). Deze Staat zal den naam dragen van de Zuid-Afrikaansche Republiek <sup>2)</sup>. Naam van den Staat

(\*) 2 (2). De Regeeringsvorm van dezen Staat zal zijn die eener Republiek. Regeeringsvorm.

(\*) 3 (3). Zij wil zich bij de beschaafde wereld als een onafhankelijk en vrij volk erkend en geëerbiedigd zien. De Republiek onafhankelijk en vrij.

(\*) 4 (4). Het volk zoekt geen uitbreiding van grondgebied, en wil die alleen volgens rechtvaardige beginsels, wanneer het belang der Republiek die uitbreiding raadzaam maakt. Het volk verlangt geen uitbreiding van grondgebied.

5 (5). Het volk wil zijn grondgebied, gelegen in Zuid-Afrika, ongeschonden bezitten en in bezit houden. De grenzen worden bij proclamatie bekend gemaakt. Grondgebied ongeschonden te worden bezeten.  
Grenslijnen bij proclamatie te worden bepaald.

(\*) 6 (6). Zijn grondgebied staat voor iederen vreemdeling open, die zich aan de wetten dezer Republiek onderwerpt. Allen, die zich op het grondgebied dezer Republiek bevinden, hebben gelijke aanspraak op bescherming van personen en goederen. Vreemdelingen toegelaten zich alhier te vestigen.  
Bescherming van persoon en goed.

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<sup>1)</sup> Zie Wetboek 1849—1885, pag. 35—69, 115, 116, 117—123, 679—683, 1025—1028.

Zie Wetboek 1886—1887.

Volksraadsbesluit art. 208, dd. 27 Juni 1887, pag. 201.

Zie Gouvernements-Kennisgeving, gepubliceerd in de *Staatscourant* van 13 Febr. 1889, No. 42, uitvoering gevende aan Uity. Raadsbesluit art. 97, dd. 12 Febr. 1889.

Volksraadsbesluit art. 247, dd. 22 Mei 1889.

Volksraadsbesluit art. 604, dd. 1 Juli 1889.

Volksraadsbesluiten artt. 998—1000, 1002, 1004—1007, 1009, 1010, dd. 16 Juli 1889.

Volksraadsbesluiten artt. 1013, 1017—1028, 1031, 1033, 1035, dd. 17 Juli 1889.

Zie ook *Staatscourant* van 28 Sept. 1892, No. 617, Gouvernements-Kennisgeving No. 355.

<sup>2)</sup> Dit artikel is onveranderd gebleven en is daarom evenals alle volgende onveranderde artikelen (\*) gemerkt. De cijfers tusschen haakjes geven het corresponderende nummer van het artikel aan met dat in de Grondwet van 1858, Wetboek 1849—1885 pag. 35 e. v., voor verwijzingen zie men dus aldaar.

Open gronden zijn  
het eigendom van  
den Staat.

Maatschappelijke  
vrijheid hoe in stand  
te worden gehouden.

Uitbreiding des  
Evangeliums toege-  
laten.

Geene gelijkstelling  
tusschen blanken en  
gekleurden.

Slavernij niet toege-  
laten.

Onafhankelijkheid  
van den Staat.

De Volksraad het  
hoogste gezag des  
lands.

Voorgestelde wetten  
3 maanden vooruit  
te worden gepublic.

De Uitvoerende  
Raad.

Orde aan krijgsmagt  
toevertrouwd.

Rechterlijke macht.

7 (7). De in dit grondgebied gelegene gronden of plaatsen, die heden nog onuitgegeven zijn, worden verklaard eigendommen van den Staat te zijn.

8 (8). Het volk eischt de meest mogelijke maatschappelijke vrijheid, en verwacht die van het behoud van zijn godsdienstig geloof; van de nakoming zijner verbintenissen; van zijne ondergeschiktheid aan wet, orde en recht en de handhaving van dezelve.

Het volk laat de uitbreiding van het Evangelium toe onder de heidenen, onder bepaalde voorzorgen tegen bedrog of misleiding <sup>1)</sup>.

9 (9). Het volk wil geen gelijkstelling van gekleurden met blanke ingezetenen toestaan <sup>2)</sup>.

(\*) 10 (10). Het volk wil geene slavenhandel, noch slavernij in deze Republiek dulden.

11 (11). Het volk behoudt uitsluitend aan zich de bescherming en verdediging van de onafhankelijkheid en onschendbaarheid van den Staat, overeenkomstig de wetten.

(\*) 12 (12). Het volk geeft de Wetgeving in handen van eenen Volksraad, het hoogste gezag des lands, bestaande uit vertegenwoordigers of lasthebbers des volks, door de stemgerechtigde burgers gekozen; doch alleen voor zoo verre, dat aan het volk drie maanden tijds zal gelaten zijn, om over eene voorgestelde Wet zijn oordeel aan den Volksraad desverkiezende te kunnen inleveren; behalve die Wetten, die geen uitstel kunnen lijden.

13 (13). Het volk draagt de voorstelling en uitvoering der Wetten op aan den Staatspresident, welke tevens de benoemingen van alle landsambtenaren aan den Volksraad ter goedkeuring voorlegt.

14 (14). Het volk vertrouwt de handhaving der orde toe aan de krijgsmacht, de politie en andere personen daartoe door de Wet aangewezen <sup>3)</sup>.

15 (15). Het volk stelt de rechterlijke macht in handen van een Hoog Gerechtshof, Landdrosten, Gezworenen en zoodanige ambtenaren als door de Wet met rechterlijke bevoegdheid zullen worden bekleed, en laat die aan hun oordeel en geweten over, om volgens de landswetten te handelen <sup>4)</sup>.

<sup>1)</sup> Zie Volksraadsbesluit art. 56, dd. 12 Mei 1885, Wetboek 1848—1885, pag. 608. Zie ook noot <sup>2</sup> aldaar.

<sup>2)</sup> Zie behalve de noot <sup>2</sup> ad art. 9 Wetboek 1849—1885, pag. 36 ook Londensche Conventie art. 9 en 19 zelfde Wetboek pag. 1256 en 1258.

Zie Volksraadsbesluit art. 41, dd. 9 Mei 1888 ante pag. 37, en Volksraadsbesluit art. 418, dd. 8 Juni 1888 ante pag. 50.

Zie Volksraadsbesluit art. 284, dd. 28 Mei 1889 ante pag. 151.

<sup>3)</sup> Zie Wetboek 1849—1885, Wet No. 3, 1881, art. 15, pag. 1027 en Wet No. 8, 1885, art. 68, pag. 1390. Dit artikel is door latere herzieningen niet veranderd.

<sup>4)</sup> Zie ante Wet No. 1, 1888, ante pag. 1.



OVER DEN VOLKSRAAD, HET HOOGSTE GEZAG OF DE  
WETGEVENDE MACHT.

De Volksraad het  
hoogste gezag.

Volksraadsleden  
zijn geene ambte-  
naren,

Getal van leden des  
Volksraads. Ver-  
eischen voor Volks-  
raadsleden.

Gekleurden noch  
bastarden te wor-  
den toegelaten in  
vergaderingen.  
Geen officier of gesa-  
larieerd ambtenaar  
verkiesbaar.

Verkiezing van  
Volksraadsleden.

Ieder burger van 21  
jaar bezit stemrecht.

Volksraadled. voor  
4 jaren gekozen.

Verkiesbaarheid af-  
hankelijk van uit-  
noodiging door min-  
stens 25 burgers.  
Burgers kunnen een  
ander distrikt ver-  
tegenwoord gen.

(\*) 26 (29). De Volksraad zal het hoogste gezag des  
lands zijn, en de Wetgevende Macht.

(\*) 27 (30). Als vertegenwoordigers des volks zijn  
zij geen Landsambtenaren.

28 (31). De Volksraad zal ten minste uit twaalf leden  
bestaan, deze moeten de volgende vereischen bezitten:  
zij moeten 30 jaren oud, in de Republiek geboren of  
vijftien achtereenvolgende jaren stemgerechtigde bur-  
gers der Zuid Afrikaansche Republiek geweest en lid-  
maten van eene Protestantsche Kerk zijn, in de Repu-  
blik wonen en vast eigendom in het grongebied der  
Zuid Afrikaansche Republiek bezitten. Geen personen  
van een openlijk slecht gedrag of die een onteerend  
vonnis ten hunnen laste gehad hebben, geene niet ge-  
rehabiliteerde bankroetiers of insolventen van waar ook  
zullen verkiesbaar zijn; zij mogen elkander niet bestaan  
in de betrekking van vader en zoon of stiefzoon; geen  
gekleurden, noch bastarden zullen toegelaten worden  
in onze vergaderingen. Tevens zal geen krijgsofficier  
en ook geen ambtenaar van den Staat, die als zoodanig  
een vast, hetzij jaarlijksch of maandelijksch salaris  
geniet, als lid van den Volksraad verkiesbaar zijn. Een  
ieder is gerechtigd, wanneer hij daarvan het bewijs kan  
leveren, het aan den Staatspresident in te zenden, voor  
dat zoodanig lid zitting neemt. Ingeval het bewijs  
voldoende overtuigend is, zal de Staatspresident, voor  
de opening van de zitting, hetzelfde aan den Voorzitter  
van den Volksraad ter hand stellen, en op de verwij-  
dering van het betrokken lid aandringen <sup>1)</sup>.

29 (32). De leden van den Volksraad worden door de  
meerderheid van stemmen door de kiezers van elk dis-  
trict gekozen. Niemand zal beschouwd worden als lid  
verkozen te zijn tenzij hij bij de kiezing de stemmen van  
minstens zestig stemgerechtigde burgers op zich heeft  
vereenigd. Ieder die binnen de Republiek geboren is en  
den ouderdom van 21 jaren bereikt heeft, of genaturali-  
seerd is, zal stemgerechtigd burger zijn. De Volksraads-  
leden worden verkozen voor den tijd van vier jaren <sup>2)</sup>.

30 (33). Niemand zal verkiesbaar zijn tenzij hij vooraf  
eene uitnoodiging, ondertekend door minstens 25 stem-  
gerechtigde burgers heeft ontvangen. De kiezers van  
het eene district kunnen ook hunne stem uitbrengen  
op een persoon in een ander district wonende <sup>2)</sup>.

<sup>1)</sup> Zie Wetboek 1886—1887. Reglement van Orde voor den Volksraad  
der Z. A. Republiek art. 4, pag. 172.

Zie Volksraadsbesluit art. 322, dd. 30 Mei 1888 ante pag. 49.

<sup>2)</sup> Zie mijn noot ad art. 28.

Redenen van ver-  
schooning, kennis-  
gevingen, enz., moe-  
ten bij den Staats-  
president ingezon-  
den worden.

Eed te worden afge-  
legd door Volks-  
raadsleden.

Voorzitter van den  
Volksraad.

Volstrekte meerder-  
heid van stemmen  
beslist.

Volksraad niet uit-  
een te gaan voor dat  
alle zaken afgehan-  
deld zijn.

Volksraadsleden  
vrij van landsdienst,  
niet van krijgskos-  
ten.

Zij zijn gerechtigd  
tot verblijfkosten.

Vergaderingen van  
den Volksraad met  
open deuren te wor-  
den gehouden.

36 (39). Alle bedenkingen, verontschuldigingen en kennisgevingen, bedoeld in artt. 34 en 35, zullen aan den Staatspresident ingezonden en door den Uitvoeren- den Raad beoordeeld worden. In de, dientengevolge, onvervulde plaatsen zal zoo spoedig mogelijk voorzien worden, volgens art. 32 (oud art. 35).

37 (40). De leden van den Volksraad zullen voor het aanvaarden hunner betrekking beëdigd worden door de Volksraadsleden, die op den dag der zitting tegenwoordig zijn; hun eed zal zijn van den volgende inhoud:

« Als verkozen tot lid van den Volksraad dezer Republiek, verklaar, beloof en zweer ik plechtig, dat ik aan niemand eenige gift gedaan of beloofd heb om tot die betrekking te geraken; dat ik in die betrekking getrouw zal zijn aan het volk; mij zal gedragen overeenkomstig de Grondwet en andere wetten dezer Republiek, naar mijn beste kennis en geweten, en niets anders te beoogen dan de bevordering van het geluk en welzijn der ingezetenen in het algemeen” <sup>1)</sup>.

(\*) 38 (41). De aanwezige leden van den Volksraad kiezen hunnen Voorzitter na de opening der zitting, en voor den tijd van hun zittingsjaar.

39 (42). Al hetgeen waarover beraadslaagd wordt, zal door volstrekte meerderheid van stemmen der stemmende leden beslist worden.

(\*) 40 (43). De Volksraad gaat niet uiteen vóór dat alle zaken die behandeld moeten worden, afgehandeld zijn, en de zitting door den Voorzitter van den Raad gesloten is. Een Volksraadslid kan vrijheid ontvangen de vergadering te verlaten indien hij verkeert in het geval van No. 2. art. 35 (oud art. 38).

41 (44). De dienstdoende leden van den Volksraad zullen in persoon vrij wezen van 's lands dienst, zonder vrij te zijn van kosten die de krijgsmacht van hen zoude kunnen afvorderen; zij zullen vergoeding van hun verblijf genieten gedurende het oponthoud hunner bezigheden <sup>2)</sup>.

42 (45). De vergaderingen worden met opene deuren gehouden, tenzij dat de Volksraad besluit, dat de beradslagingen over het een of ander voorstel in het geheim gehouden worden. De aanwezige personen die geen zitting in den Volksraad hebben, mogen niet

<sup>1)</sup> Zie Wetboek 1886—1887. Reglement van Orde voor den Volksraad der Z. A. Republiek, art. 5, pag. 173. Aan de oude eed werden de woorden: “en andere wetten” toegevoegd.

<sup>2)</sup> Het oude artikel stelde de leden vrij van kosten. Wet No. 2, 1883 herroept deze bepaling niet uitdrukkelijk, maar het schijnt wel de bedoeling geweest te zijn zulks te doen. Zie rapport der Commissie benoemd bij Volksraadsbesluit dd. 22 Mei 1889 ad art. 44.



# GRONDWET <sup>1)</sup>

VAN DE

## ZUID-AFRIKAANSCH REPUBLIEK.

### ALGEMEENE BEPALINGEN.

(\*) ART. 1 (1). Deze Staat zal den naam dragen van de Zuid-Afrikaansche Republiek <sup>2)</sup>. Naam van den Staat.

(\*) 2 (2). De Regeeringsvorm van dezen Staat zal zijn die eener Republiek. Regeeringsvorm.

(\*) 3 (3). Zij wil zich bij de beschaafde wereld als een onafhankelijk en vrij volk erkend en geëerbiedigd zien. De Republiek onafhankelijk en vrij.

(\*) 4 (4). Het volk zoekt geen uitbreiding van grondgebied, en wil die alleen volgens rechtvaardige beginsels, wanneer het belang der Republiek die uitbreiding raadzaam maakt. Het volk verlangt geen uitbreiding van grondgebied.

5 (5). Het volk wil zijn grondgebied, gelegen in Zuid-Afrika, ongeschonden bezitten en in bezit houden. Grondgebied ongeschonden te worden bezeten.

De grenzen worden bij proclamatie bekend gemaakt. Grenslijnen bij proclamatie te worden bepaald.

(\*) 6 (6). Zijn grondgebied staat voor iederen vreemdeling open, die zich aan de wetten dezer Republiek onderwerpt. Allen, die zich op het grondgebied dezer Republiek bevinden, hebben gelijke aanspraak op bescherming van personen en goederen. Vreemdelingen toegelaten zich alhier te vestigen. Bescherming van persoon en goed.

<sup>1)</sup> Zie Wetboek 1849—1885, pag. 35—69, 115, 116, 117—123, 679—683, 1025—1028.

Zie Wetboek 1886—1887.

Volksraadsbesluit art. 208, dd. 27 Juni 1887, pag. 201.

Zie Gouvernements-Kennisgeving, gepubliceerd in de *Staatscourant* van 13 Febr. 1889, No. 42, uitvoering gevende aan Uitv. Raadsbesluit art. 97, dd. 12 Febr. 1889.

Volksraadsbesluit art. 247, dd. 22 Mei 1889.

Volksraadsbesluit art. 604, dd. 1 Juli 1889.

Volksraadsbesluiten artt. 998—1000, 1002, 1004—1007, 1009, 1010, dd. 16 Juli 1889.

Volksraadsbesluiten artt. 1013, 1017—1028, 1031, 1033, 1035, dd. 17 Juli 1889.

Zie ook *Staatscourant* van 28 Sept. 1892, No. 617, Gouvernements-Kennisgeving No. 355.

<sup>2)</sup> Dit artikel is onveranderd gebleven en is daarom evenals alle volgende onveranderde artikelen (\*) gemerkt. De cijfers tusschen haakjes geven het corresponderende nummer van het artikel aan met dat in de Grondwet van 1858, Wetboek 1849—1885 pag. 35 e. v., voor verwijzingen zie men dus aldaar.

Open gronden zijn  
het eigendom van  
den Staat.

Maatschappelijke  
vrijheid hoe in stand  
te worden gehouden.

Uitbreiding des  
Evangeliums toege-  
laten.

Geene gelijkstelling  
tusschen blanken en  
gekleurden.

Slavernij niet toege-  
laten.

Onafhankelijkheid  
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De Volksraad het  
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Voorgestelde wetten  
3 maanden vooruit  
te worden gepublic.

De Uitvoerende  
Raad.

Orde aan krijgsmagt  
toevertrouwd.

Rechterlijke macht.

7 (7). De in dit grondgebied gelegene gronden of plaatsen, die heden nog onuitgegeven zijn, worden verklaard eigendommen van den Staat te zijn.

8 (8). Het volk eischt de meest mogelijke maatschappelijke vrijheid, en verwacht die van het behoud van zijn godsdienstig geloof; van de nakoming zijner verbintenissen; van zijne ondergeschiktheid aan wet, orde en recht en de handhaving van dezelve.

Het volk laat de uitbreiding van het Evangelium toe onder de heidenen, onder bepaalde voorzorgen tegen bedrog of misleiding <sup>1)</sup>.

9 (9). Het volk wil geen gelijkstelling van gekleurden met blanke ingezetenen toestaan <sup>2)</sup>.

(\*) 10 (10). Het volk wil geene slavenhandel, noch slavernij in deze Republiek dulden.

11 (11). Het volk behoudt uitsluitend aan zich de bescherming en verdediging van de onafhankelijkheid en onschendbaarheid van den Staat, overeenkomstig de wetten.

(\*) 12 (12). Het volk geeft de Wetgeving in handen van eenen Volksraad, het hoogste gezag des lands, bestaande uit vertegenwoordigers of lasthebbers des volks, door de stemgerechtigde burgers gekozen; doch alleen voor zoo verre, dat aan het volk drie maanden tijds zal gelaten zijn, om over eene voorgestelde Wet zijn oordeel aan den Volksraad desverkiezende te kunnen inleveren; behalve die Wetten, die geen uitstel kunnen lijden.

13 (13). Het volk draagt de voorstelling en uitvoering der Wetten op aan den Staatspresident, welke tevens de benoemingen van alle landsambtenaren aan den Volksraad ter goedkeuring voorlegt.

14 (14). Het volk vertrouwt de handhaving der orde toe aan de krijgsmacht, de politie en andere personen daartoe door de Wet aangewezen <sup>3)</sup>.

15 (15). Het volk stelt de rechterlijke macht in handen van een Hoog Gerechtshof, Landdrosten, Gezworenen en zoodanige ambtenaren als door de Wet met rechterlijke bevoegdheid zullen worden bekleed, en laat die aan hun oordeel en geweten over, om volgens de landswetten te handelen <sup>4)</sup>.

<sup>1)</sup> Zie Volksraadsbesluit art. 56, dd. 12 Mei 1885, Wetboek 1848—1885, pag. 608. Zie ook noot <sup>2)</sup> aldaar.

<sup>2)</sup> Zie behalve de noot <sup>2)</sup> ad art. 9 Wetboek 1849—1885, pag. 36 ook Londensche Conventie art. 9 en 19 zelfde Wetboek pag. 1256 en 1258. Zie Volksraadsbesluit art. 41, dd. 9 Mei 1888 ante pag. 37, en Volksraadsbesluit art. 418, dd. 8 Juni 1888 ante pag. 50.

Zie Volksraadsbesluit art. 284, dd. 28 Mei 1889 ante pag. 151.

<sup>3)</sup> Zie Wetboek 1849—1885, Wet No. 3, 1881, art. 15, pag. 1027 en Wet No. 8, 1885, art. 68, pag. 1390. Dit artikel is door latere herzieningen niet veranderd.

<sup>4)</sup> Zie ante Wet No. 1, 1888, ante pag. 1.



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<sup>4)</sup> Zie ante Wet No. 1, 1888, ante pag. 1.

16 (16). Het volk zal jaarlijks van den Volksraad eene begrooting van algemeene inkomsten en uitgaven voor den Staat ontvangen en daaruit vernemen hoeveel ieders belasting zal belooopen. Jaarlijksche begroo-  
tingswet te worden  
gepasseerd

(\*) 17 (17). Potchefstroom, gelegen aan de Mooirivier, zal de hoofdplaats der Republiek en Pretoria de zetel van het Gouvernement zijn. Hoofdplaats en zetel  
van Gouvernement.

(\*) 18 (18). Alle diensten ten behoeve van het algemeen gevorderd, worden door het algemeen beloond. Algemeene diensten  
te worden beloond.

(\*) 19 (19). Vrijheid van drukpers is toegestaan, mits de drukker en uitgever verantwoordelijk blijven voor al de stukken die eerschennis, belediging of aanranding van iemands karakter bevatten. Vrijheid der druk-  
pers.

#### OVER DE BESCHERMING EN VERDEDIGING VAN DEN STAAT.

20 (22). Het (volk) zal geen andere vertegenwoordigers in den Volksraad aanstellen, dan degenen die lidmaten eener Protestantsche Kerk zijn <sup>1)</sup>. Volksraadsleden  
moeten tot een Pro-  
test.kerk behooren.

21 (24). Het volk verlangt den opbouw, de bloei en de welvaart van den Staat, en uit dien hoofde voorziening in de behoefte aan schoolonderwijzers. Welvaart van den  
Staat door benoe-  
ming van onder-  
wijzers te worden  
bevorderd.

(\*) 22 (25). Zoo ook, dat in tijd van vrede voorzorgende maatregelen genomen worden, om een oorlog te kunnen voeren of te wederstaan. Maatregelen tot het  
voeren van oorlog.

(\*) 23 (26). Ingeval van vijandelijken inval van buiten, zal een ieder zonder onderscheid gehouden zijn om met de uitvaardiging der oorlogswet zijnen bijstand daartoe te verleenen. Ieder inwoner ver-  
plicht hulp te ver-  
leenen bij invallen.

24 (27). Geen tractaat of bondgenootschap met buitenlandsche mogenheden of volkeren mag bekrachtigd worden, dan nadat de Volksraad daarover zijn gevoelen heeft kenbaar gemaakt, zullende het tractaat volgens het oordeel van den Volksraad goedgekeurd en vastgesteld of afgekeurd worden, met uitzondering van die traktaten, welke de Regeering bij Wet of Volksraadsbesluit gemachtigd is aan te gaan <sup>2)</sup>. Tractaten of bond-  
genootschappen met  
buitenlandsche mo-  
genheden, enz., ver-  
eischen de goedkeu-  
ring des Volksraads.

25 (28). Bij voor den Staat dreigend gevaar of in oorlogstijd zal de beoordeeling over het al of niet raadzame van zoodanig tractaat of bondgenootschap, aan den Commandant-Generaal, met overleg van den Krijgsraad, overgelaten worden, indien de commando's in het veld zijn, en er geen tijd is om den Uitvoerenden Raad te raadplegen. In tijd van dreigend  
gevaar of oorlog kan  
de Commandant-  
Generaal met den  
krijgsraad in zooda-  
nig tractaat of bond-  
genootschap treden.

<sup>1)</sup> In de gewijzigde Grondwet is het woord "volk" uitgelaten, ik heb het duidelijkshalve ingevoegd. De uitlating is waarschijnlijk het gevolg van het wegvallen der 2 voorgaande artikelen. Zie oude Grondwet 1858. Zie ook Wetboek 1849—1885. Volksraadsbesluit 11 Juni 1873, art. 153, pag. 525.

<sup>2)</sup> Zie Volksraadsbesluit art. 999, dd. 16 Juli 1889.



OVER DEN VOLKSRAAD, HET HOOGSTE GEZAG OF DE  
WETGEVENDE MACHT.

De Volksraad het  
hoogste gezag.

Volksraadsleden  
zijn geene ambte-  
naren,

Getal van leden des  
Volksraads. Ver-  
eischen voor Volks-  
raadsleden.

Gekleurden noch  
bastaarden te wor-  
den toegelaten in  
vergaderingen.  
Geen officier of gesa-  
larieerd ambtenaar  
verkiesbaar.

Verkiezing van  
Volksraadsleden.

Ieder burger van 21  
jaar bezit stemrecht.

Volksraadled. voor  
4 jaren gekozen.

Verkiesbaarheid af-  
hankelijk van uit-  
noodiging door min-  
stens 25 burgers.  
Burgers kunnen een  
ander distrikt ver-  
tegenwoordigen.

(\*) 26 (29). De Volksraad zal het hoogste gezag des  
lands zijn, en de Wetgevende Macht.

(\*) 27 (30). Als vertegenwoordigers des volks zijn  
zij geen Landsambtenaren.

28 (31). De Volksraad zal ten minste uit twaalf leden  
bestaan, deze moeten de volgende vereischen bezitten:  
zij moeten 30 jaren oud, in de Republiek geboren of  
vijftien achtereenvolgende jaren stemgerechtigde bur-  
gers der Zuid Afrikaansche Republiek geweest en lid-  
maten van eene Protestantsche Kerk zijn, in de Repu-  
bliek wonen en vast eigendom in het grongebied der  
Zuid Afrikaansche Republiek bezitten. Geen personen  
van een openlijk slecht gedrag of die een onteerend  
vonnis ten hunnen laste gehad hebben, geene niet ge-  
rehabiliteerde bankroetiers of insolventen van waar ook  
zullen verkiesbaar zijn; zij mogen elkander niet bestaan  
in de betrekking van vader en zoon of stiefzoon; geen  
gekleurden, noch bastaarden zullen toegelaten worden  
in onze vergaderingen. Tevens zal geen krijgsofficier  
en ook geen ambtenaar van den Staat, die als zoodanig  
een vast, hetzij jaarlijksch of maandelijksch salaris  
geniet, als lid van den Volksraad verkiesbaar zijn. Een  
ieder is gerechtigd, wanneer hij daarvan het bewijs kan  
leveren, het aan den Staatspresident in te zenden, voor  
dat zoodanig lid zitting neemt. Ingeval het bewijs  
voldoende overtuigend is, zal de Staatspresident, voor  
de opening van de zitting, hetzelfde aan den Voorzitter  
van den Volksraad ter hand stellen, en op de verwij-  
dering van het betrokken lid aandringen <sup>1)</sup>.

29 (32). De leden van den Volksraad worden door de  
meerderheid van stemmen door de kiezers van elk dis-  
trict gekozen. Niemand zal beschouwd worden als lid  
verkozen te zijn tenzij hij bij de kiezing de stemmen van  
minstens zestig stemgerechtigde burgers op zich heeft  
vereenigd. Ieder die binnen de Republiek geboren is en  
den ouderdom van 21 jaren bereikt heeft, of genaturali-  
seerd is, zal stemgerechtigd burger zijn. De Volksraads-  
leden worden verkozen voor den tijd van vier jaren <sup>2)</sup>.

30 (33). Niemand zal verkiesbaar zijn tenzij hij vooraf  
eene uitnoodiging, ondertekend door minstens 25 stem-  
gerechtigde burgers heeft ontvangen. De kiezers van  
het eene district kunnen ook hunne stem uitbrengen  
op een persoon in een ander district wonende <sup>2)</sup>.

<sup>1)</sup> Zie Wetboek 1886—1887. Reglement van Orde voor den Volksraad  
der Z. A. Republiek art. 4, pag. 172.

Zie Volksraadsbesluit art. 322, dd. 30 Mei 1888 ante pag. 49.

<sup>2)</sup> Zie mijn noot ad art. 28.

31 (34). Ieder stemgerechtigd burger staat het vrij, om indien hij beschuldigingen wegens ambts-overtredingen of ambtsmisdaden, begaan door den Staatspresident of een der leden van den Uitvoerenden Raad, meent te moeten inbrengen, die beschuldigingen aan den Voorzitter van den Volksraad in te leveren, onder het adres van:

Beschuldiging tegen den President of leden van den Uitvoerenden Raad.

« Aan den WelEd. heer Voorzitter van den Volksraad, » welke daarmede naar bevinding van zaken zal handelen <sup>1)</sup>.

32 (35). De verkiezing van leden voor den Volksraad zal in de maanden Januari en Februari, of in buitengewonen gevallen op zoodanigen tijd, als zal vereischt worden plaats hebben. Uit elk der districten zullen twee leden bij meerderheid van stemmen gekozen worden, behalve de districten Pretoria, Potchefstroom, Lijdenburg, Rustenburg en Vrijheid, waarvoor drie leden gekozen zullen worden. Kiesafdeelingen op de publieke delverijen zullen ieder een lid afvaardigen. De Veldcornetten zullen in tijds zorg dragen dat de kieslijst aan de Landdrosten, en deze weder zorg dragen dat die kieslijsten onmiddellijk aan den Uitvoerenden Raad worden ingezonden. Op het einde van het tweede jaar zal de helft der leden bij loting aftreden; de andere helft op het einde van het vierde jaar, en zoo voort. Uit de districten, wier leden uitvallen, zullen nieuwe Volksraadsleden gekozen worden. De aftredende leden zijn herkiesbaar <sup>2)</sup>.

Verdere bepalingen betreffende de verkiezing van Volksraadsleden.

33 (36). De Volksraad benoemt buiten zijn midden eenen Secretaris op voordracht van den Uitvoerenden Raad.

Secretaris van den Volksraad.

34 (37). Blijft een lid van den Volksraad zonder bedanken weg, en voldoet hij niet aan de oproeping dan wordt hij beboet met Rds. 75.

Verontschuldigingen van Volksraadsleden.

(\*) 35 (38). De redenen van versooning voor het niet verschijnen van een lid van den Volksraad zijn:

Redenen van versooning.

1. Ongesteldheid en lichaamsgebreken, te bewijzen door het verkozene of opgeroepen lid, met eene onderteekende verklaring van den Landdrost, Commandant of Veldcornet zijner afdeeling, en
2. Zoodanige onvoorziene omstandigheden, die werkelijk bewezen zijnde, het hem onmogelijk maken aanwezig te zijn of te blijven.

<sup>1)</sup> Zie Volksraadsbesluit art. 1000, dd. 16 Juli 1889. Dit besluit is niet opgenomen in de Locale Wetten 1886/87.

<sup>2)</sup> Zie Wetboek 1849—1885. Bijlage tot besluiten van den HoogEd. Volksraad art. 7, pag. 136. Wetboek 1886—1887. Volksraadsbesluit art. 877, dd. 7 Juli 1886, pag. 81.

Zie ante pag. 61, art. 4 2de alinea.

Zie Wetboek 1849—1885. Volksraadsbesluit art. 2, pag. 594 en verdere verwijzing aldaar.



Redenen van verschooning, kennisgevingen, enz., moeten bij den Staatspresident ingezonden worden.

Eed te worden afgelegd door Volksraadsleden.

Voorzitter van den Volksraad.

Volstrekte meerderheid van stemmen beslist.

Volksraad niet uiteen te gaan voor dat alle zaken afgehandeld zijn.

Volksraadsleden vrij van landsdienst, niet van krijgskosten. Zij zijn gerechtigd tot verblijfskosten.

Vergaderingen van den Volksraad met open deuren te worden gehouden.

36 (39). Alle bedenkingen, verontschuldigingen en kennisgevingen, bedoeld in artt. 34 en 35, zullen aan den Staatspresident ingezonden en door den Uitvoeren-Raad beoordeeld worden. In de, dientengevolge, onvervulde plaatsen zal zoo spoedig mogelijk voorzien worden, volgens art. 32 (oud art. 35).

37 (40). De leden van den Volksraad zullen voor het aanvaarden hunner betrekking beëdigd worden door de Volksraadsleden, die op den dag der zitting tegenwoordig zijn; hun eed zal zijn van den volgende inhoud:

« Als verkozen tot lid van den Volksraad dezer Republiek, verklaar, beloof en zweer ik plechtig, dat ik aan niemand eenige gift gedaan of beloofd heb om tot die betrekking te geraken; dat ik in die betrekking getrouw zal zijn aan het volk; mij zal gedragen overeenkomstig de Grondwet en andere wetten dezer Republiek, naar mijn beste kennis en geweten, en niets anders te beoogen dan de bevordering van het geluk en welzijn der ingezetenen in het algemeen” <sup>1)</sup>.

(\*) 38 (41). De aanwezige leden van den Volksraad kiezen hunnen Voorzitter na de opening der zitting, en voor den tijd van hun zittingsjaar.

39 (42). Al hetgeen waarover beraadslaagd wordt, zal door volstrekte meerderheid van stemmen der stemmende leden beslist worden.

(\*) 40 (43). De Volksraad gaat niet uiteen vóór dat alle zaken die behandeld moeten worden, afgehandeld zijn, en de zitting door den Voorzitter van den Raad gesloten is. Een Volksraadslid kan vrijheid ontvangen de vergadering te verlaten indien hij verkeert in het geval van No. 2. art. 35 (oud art. 38).

41 (44). De dienstdoende leden van den Volksraad zullen in persoon vrij wezen van 's lands dienst, zonder vrij te zijn van kosten die de krijgsmacht van hen zoude kunnen afvorderen; zij zullen vergoeding van hun verblijf genieten gedurende het oponthoud hunner bezigheden <sup>2)</sup>.

42 (45). De vergaderingen worden met opene deuren gehouden, tenzij dat de Volksraad besluit, dat de beradslagingen over het een of ander voorstel in het geheim gehouden worden. De aanwezige personen die geen zitting in den Volksraad hebben, mogen niet

<sup>1)</sup> Zie Wetboek 1886—1887. Reglement van Orde voor den Volksraad der Z. A. Republiek, art. 5, pag. 173. Aan de oude eed werden de woorden: “en andere wetten” toegevoegd.

<sup>2)</sup> Het oude artikel stelde de leden vrij van kosten. Wet No. 2, 1883 herroept deze bepaling niet uitdrukkelijk, maar het schijnt wel de bedoeling geweest te zijn zulks te doen. Zie rapport der Commissie benoemd bij Volksraadsbesluit dd. 22 Mei 1889 ad art. 44.

spreeken, dan wanneer zij op eene vraag van den Voorzitter hebben te antwoorden <sup>1)</sup>).

43 (47). De Voorzitter zal al de voorstellen van wet, bij den Volksraad ingekomen, in beraadslaging brengen, of deze 3 maanden voor den aanvang der zitting van den Volksraad aan het algemeen bekend zijn gemaakt, of dat dezelve tijdens de zitting van den Volksraad zijn ingekomen.

De Voorzitter van den Volksraad brengt de voorgestelde wetten in beraadslaging.

44 (48). Wanneer de bekendstelling van wetten en Gouvernements bekendmakingen aan het algemeen, niet intijds is geschied, zal de Staatspresident onderzoeken bij wien de schuld van dat oponthoud gelegen is. Een Landdrost in deze schuldig bevonden wordende, zal in eene boete van Rds. 50 vervallen, een Veldcornet of minder beambte, van Rds. 25.

Strafbepaling voor verzuim in 't bekend maken der voorgestelde wetten.

45 (49). Een afschrift van ieder aangenomene wet zal door den Voorzitter aan den Staatspresident ter uitvoering ingezonden worden.

De Voorzitter zendt afschriften van wetten.

46 (50). Wanneer een nieuwe Staatspresident benoemd is, zal de Volksraad vier zijner leden en den Secretaris afvaardigen, om hem uit te noodigen in de Volksraadsvergadering den ambtseed te komen afleggen.

Nieuwbenoemde President legt den ambtseed in den Volksraad af.

47 (51). Bij de benoeming van de leden van den Uitvoerenden Raad en den Commandant-Generaal, zal de Volksraad hun daarvan schriftelijk kennis geven, met uitnoodiging om den ambtseed op een daarbij bepaalden tijd voor den Volksraad te komen afleggen <sup>2)</sup>).

Leden van den Uitv. Raad en de Comt.-Generaal leggen den ambtseed voor den Volksraad af.

48 (52). De lijst der aangestelde ambtenaren zal jaarlijks door den Staatspresident ter goed- of afkeuring aan den Volksraad worden aangeboden.

Lijst van aangestelde ambtenaren wordt ter goedkeuring aan Volksraad aangeboden.

49 (53). Indien het Hof, bedoeld in art. 8, Bijlage van de Grondwet van 1877, den Staatspresident of het Hoog Gerechtshof, bedoeld bij art. 115 der Grondwet, een der leden van den Uitvoerenden Raad, of den Commandant-Generaal, onwaardig verklaart om zijn ambt of hunne ambten te bekleeden, dan zal de Voorzitter van den Volksraad, op ontvangst van de uitspraak van zoodanig Hof, de leden van den Volksraad bijeenroepen, welke gehouden zijn, om volgens hun plicht de zitting bij te wonen, teneinde de veroordeelde of veroordeelden van zijn ambt of hunne ambten te ontzetten en zoodra mogelijk in de vervulling der opengevallene plaats of plaatsen te voorzien <sup>3)</sup>).

Ontzetting van den President, leden van den Uitv. Raad en Commdt.-Generaal uit hun ambt.

<sup>1)</sup> Zie art. 53 dezer Wet.

<sup>2)</sup> Zie art. 90 dezer Wet.

<sup>3)</sup> In de door den Volksraad aangenomen wet stond: Het Hoogerechtshof, bedoeld bij art. 127 der Grondwet. Dit artikel werd overeenkomstig Volksraadsbesluit art. 998. dd. 16 Juli 1889 in de gepubliceerde wet art. 115.

Zie artt. 59, 60 en 61 dezer wet.

Zie Wetboek 1886—1887. Reglement van Orde artt. 1 en 2, pag. 172.



Tijdsbepaling voor  
het vergaderen des  
Volksraads.

Volksraad met ge-  
bed geopend en gesl.

Strafbegaling voor  
den Voorzitter bij  
niet nakomen van  
art. 54.

Handhaving van  
orde onder aanwezig  
publiek aan Veld-  
kornet toever-  
trouwd.

Bode Volksrd. door  
Landdrost benoemd.

Overtreding in  
Raadzl. door Volks-  
raad beoordeeld.

Invordering van  
boeten door den  
Volksraad opgelegd.

50 (54). De leden van den Volksraad vergaderen in Raadzaal, jaarlijks op den 1sten Maandag in Mei of op andere tijden in het oproepingsbericht aangewezen, wanneer de Staatspresident het noodig oordeelt dat de Volksraad bijeenkomt; voorts dagelijks des morgens ten negen ure, om niet minder dan 4 tot 5 uren per dag werkzaam te zijn. De vergadering van den Volksraad zal met een gepast gebed geopend en gesloten worden <sup>1)</sup>.

(\*) 51 (55). De Voorzitter van den Volksraad is verantwoordelijk, dat de vergaderingen volgens bepalingen in art. 50 (oud art. 54) gehouden worden, bij verzuim waarvan de Volksraad hem beboeten kan met Rds. 5 tot 50.

(\*) 52 (57). De handhaving der orde, onder de aanwezige personen, bedoeld in art. 42 (oud art. 45), zal moeten worden toevertrouwd aan eenen Veldcornet door den Landdrost van het district waar de zitting gehouden wordt, daartoe aangeschreven.

(\*) 53 (58). Die Landdrost zal ook een bode aanstellen, om gedurende de vergadering ten dienste van den Volksraad te staan.

(\*) 54 (59). De Volksraad beoordeelt alle overtredingen voor den Volksraad vastgesteld, en in de Raadszaal begaan, en bestraft deswege de overtreders zonder verder beroep.

(\*) 55 (60). Van alle beboetingen, door den Volksraad gedaan, wordt door den Secretaris kennis gegeven aan de Landdrosten, waaronder de beboeteneu ressorteeren, en deze dragen zorg voor de invordering <sup>2)</sup>.

#### OVER DEN STAATSPRESIDENT EN DE LEDEN VAN DEN UITVOERENDEN RAAD, DE VOORSTELLERS DER WETTEN.

Staatspresident.

56 (61). De Uitvoerende Macht berust bij den Staatspresident die aan den Volksraad verantwoordelijk is. Hij wordt bij meerderheid door de stemgerechtigde burgers gekozen voor den tijd van 5 jaren. Hij is bij aftreding weder herkiesbaar. Om verkiesbaar te zijn moet hij den ouderdom van 30 jaren bereikt hebben, behoeft hij op den dag van zijne benoeming geen burger van den Staat te zijn, maar moet lidmaat zijn van eene Protestantsche kerk en geen onteerend vonnis ten zijnen laste gehad hebben <sup>3)</sup>.

<sup>1)</sup> Vergelijk vorige artikel en artikel 59 dezer wet.

<sup>2)</sup> Het gebeurde met den rapporteur van de *Transvaal Advertiser* (Zie verslag zitting 7 Juni 1889 en Volksraadsbesluit art. 379) stelt een praecedent daar hoe de Volksraad ook andere straffen dan boeten schijnt toe te kunnen passen.

<sup>3)</sup> Vergelijk art. 82 dezer wet.

Zie Volksraadsbesluit art. 570, dd. 27 Febr. 1872. Locale Wetten 1849—1885, pag. 462.

(\*) 57 (62). De Staatspresident is de eerste of hoogste ambtenaar van den Staat, alle landsambtenaren zijn hem ondergeschikt; dezulke echter, die met de uitoefening der Rechtsmacht bedeeld zijn, zijn in die uitoefening geheel en al vrij en onafhankelijk.

Staatspresident  
hoogste ambte

Rechterlijke  
vrij en onafh  
lijk.

58 (63). Zoolang de Staatspresident die betrekking waarneemt, zal hij geene andere, noch kerkelijke bediening vervullen, en geen handel drijven. De Staatspresident kan zich als zoodanig niet zonder toestemming van den Volksraad buitenslands begeven. Het zal den Uitvoerenden Raad echter vrijstaan hem in dringende gevallen verlof te geven om buitenslands te gaan voor private aangelegenheden.

Staatspresident  
geen andere  
ning te vervu  
noch buitenla  
te gaan.

59 (64). In geval van ontzetting uit zijn post, onbekwaamheid door lichaams- of verstandsgebreken of dood van den Staatspresident, treedt het door den Volksraad benoemd lid van den Uitvoerenden Raad als Vice-President op, die in overleg met den Uitvoerenden Raad en desvereischt onmiddellijk den Volksraad zal oproepen, om voorziening te maken voor de electie van een anderen Staatspresident en daarop in functie zal blijven tot dat de nieuw gekozen Staatspresident zijn ambt als zoodanig heeft aanvaard. Ook in geval van afwezigheid van den Staatspresident buitenslands treedt de Vice-President op <sup>1)</sup>.

Oudste lid van  
Raad treedt o  
geval van doo  
slag, enz. van  
Staatspresident

(\*) 60 (65). De Staatspresident zal door den Volksraad van zijn post ontslagen of ontzet worden na overtuiging van wangedrag, verduistering van Staatseigendom, verraad of andere zware misdaden, en verder naar de wetten behandeld worden.

Ontslag van  
Staatspresident

61. Indien wegens overtreding van de Grondwet, of wegens andere Staatsmisdrijven, de Volksraad besluit, dat de Staatspresident in staat van beschuldiging worde gesteld, zal hij terecht staan voor een bijzonder Hof, samengesteld uit de leden van het Hoog Gerechtshof, den Voorzitter en een ander lid van den Volksraad, terwijl de Staatsprocureur als publieke vervolger optreedt. Het zal den aangeklaagde vrijstaan zich door een rechtsgeleerde naar zijne keuze te doen bijstaan <sup>2)</sup>.

Staatspresident  
staat terecht  
bijzonder Hof

62 (66). Aan den Staatspresident is opgedragen het voorstellen van wetten aan den Volksraad, hetzij eigene voorstellen, hetzij anderen van het volk bij hem ingekomen, hij zal die voorstellen, drie maanden voor het indienen aan den Volksraad door middel van de *Staatscourant* aan het algemeen moeten bekend maken; benevens alle andere stukken, die door hem nuttig en noodig geoordeeld worden.

Staatspresident  
wetten Volks  
voor.

Wetten enz. 3  
den vooruit t  
den gepublice

<sup>1)</sup> Vergelijk artt. 49, 60 en 61 dezer wet.

<sup>2)</sup> Vergelijk art. 49 dezer wet en Bijlage van de Grondwet 1877. art. 8, Wetboek 1849—1885, pag. 680 en in het bijzonder de noot aldaar.



Staatspresident en Uitv. Raad oordeelen of ingezonden voorstellen van wet bekend zullen worden gemaakt.

Staatspresid. belast met verdediging der voorgestelde wetten in den Volksr. den ambten., tot wiens depart. zij behooren.

Binnen welken tijd de publicatie van gepasseerde wetten zal geschieden.

Proclamatie van de oorlogswet berust bij den President en Uitv. Raad.

Commandant-Generaal lid Uitv. Raad in krijgzsaken.

Staatspresident verklaart oorlog en sluit vrede.

Volksraad keurt vredetractaat goed.

Staatspresident stelt alle ambten. aan.

Plicht van den Staatspresident tegenover het volk.

Staatspresident legt jaarlijksch een begrotingswet aan den Volksr. voor.

63 (67). Alle voorstellen van wet bij den Staatspresident ingekomen, zullen, voordat deze bekend gemaakt worden, door den Staatspresident en Uitvoerenden Raad beoordeeld worden of bekendmaking noodig zij of niet.

64 (68). De Staatspresident doet de voorstellen van wet aan den Volksraad en belast met hunne toelichting en verdediging allereerst den ambtenaar tot wiens departement zij behooren.

65 (69). Zoodra de Staatspresident de kennisgeving van den Volksraad ontvangen heeft, dat de voorgestelde wet is aangenomen, zal hij die wet binnen twee maanden doen bekend maken, en na verloop van eene maand, te rekenen na de algemeene bekendmaking, voor de uitvoering derzelve zorg dragen.

66 (70). Van de oorlogswet, bedoeld in art. 23 (oud art. 26), zal niet anders, dan door den Staatspresident, met toestemming van de leden van den Uitvoerenden Raad, kunnen kennis gegeven worden. Die kennisgeving zal echter moeten plaats hebben, ingeval van dringend gevaar, en de wet zal dan dadelijk ten uitvoer gebracht worden; de beoordeeling over het gevaar wordt aan den Staatspresident en de leden van den Uitvoerenden Raad en ter hunner verantwoording overgelaten. De Commandant-Generaal zal bij de beoordeeling en beslissing over krijgzsaken in den Uitvoerenden Raad, in zijne betrekking, bij de vergadering moeten aanwezig zijn, en mede eene stem als zoodanig hebben.

67. De Staatspresident, met toestemming van den Uitvoerenden Raad, verklaart oorlog en vrede met verwijzing naar art. 66 (oud art. 70) der Grondwet, zullende de Regeering, zoo mogelijk, eerst den Volksraad bijeenroepen vóór de oorlogsverklaring.

Het vredetractaat behoeft de goedkeuring van den Volksraad, die daartoe zoo spoedig mogelijk wordt samengeroepen.

68 (71). De Staatspresident stelt alle ambtenaren aan, of zelf, of bij opdracht door de hoofdambtenaren, met in achtneming dat alle ambtenaren moeten zijn stemgerechtigde burgers of produceeren moeten goede getuigschriften tot satisfactie der Regeering, en dat zij voor zoo verre belast met financieele administratie, daarbij voldoende securiteit moeten stellen naar goedvinden der Regeering.

69 (72). De Staatspresident beantwoordt zoo veel mogelijk aan het verlangen van het volk, aangewezen in art. 21 (oud. art. 24).

70 (73). De Staatspresident zal jaarlijks bij de opening van den Volksraad, eene Begrooting van algemeene uitgaven en inkomsten, aan den Volksraad inzenden en daarin aanwijzen hoe het tekortkomende te dekken of het overschot te besteden.

(\*) 71 (74). Ook zal hij tijdens die zitting van den Volksraad verslag geven van zijne verrichtingen gedurende het afgelopen jaar, van den toestand der Republiek en van al wat haar belang in het algemeen betreft.

Staatspresident doet verslag aan Volk voor het afgelopen jaar.

72 (75). Na onderzoek van de aan de Uitv. Raad ingezonden kieslijsten voor de leden van den Volksraad, zal hij dien Raad bijeenroepen, jaarlijks tegen den 1sten Maandag van Mei, en wanneer de noodzakelijkheid zulks vereischt.

Staatspresident roept den Volks bijeen.

73 (76). Hij doet in de maand Maart of April openbaar bekend maken de namen en woonplaatsen der gekozenen tot leden van den Volksraad.

Staatspresident doet lijst gekozen Volks raadsl. publiceeren.

(\*) 74 (77). De schriftelijke bijeenroeping der leden van den Volksraad tot de zitting, zal drie weken vóór de opening derzelve ten hunnen huize bezorgd moeten zijn.

Schriftelijke bijeenroeping van Volks raadsliden.

75 (78). De Staatspresident en een lid van den Uitv. Raad zullen, zoo mogelijk, eenmaal in het jaar de steden en dorpen der Republiek, waar Landdrostkantoren zijn, bezoeken; den staat dier kantoren opnemen, en het gedrag der landsambtenaren nagaan, en op die rondreise den ingezetenen gelegenheid geven om, gedurende hun oponthoud, hunne belangen aan hen voor te dragen.

Staatspresident zoekt jaarlijks a plaatsen waar la drostkantoren zijn.

76 (79). De Staatspresident heeft de macht, behoudens zijne verantwoording aan den Volksraad, om de landsambtenaren in hunne betrekking te stuiten, voorloopige aanstellingen te doen, en alle opene plaatsen in te vullen. Hij doet de eerstvolgende zitting van den Volksraad verslag dezer handelingen.

Staatspresident schorst en stelt ambtenaren aan, onder hevig aan de go keuring des Volks.

77 (80). De Staatspresident onderteekeut mede alle benoemingen van landsambtenaren, doet hen hunne instructie zelve of door bevoegde ambtenaren voorlezen en verklaren: den ambtseed afleggen en teekenen, en laat hen na de aanstelling een afschrift der instructie ter hand stellen.

Staatspresident onderteekeut alle benoemingen van ambten. en voor hen van behoort instructie, enz.

78 (81). De Staatspresident is belast met de regeling van den algemeenen dienst, het postwezen en de openbare werken, hij en de leden van den Uitv. Raad zijn tevens belast met het oppertoezicht over de kruitmagazijnen en kanonnen van den Staat.

Staatspresident last met de regeling der algemeene dienst, enz.

79 (82). De briefwisseling met buitenlandsche Mogendheden zal door den Staatspresident en den Uitv. Raad gevoerd worden. De brieven zullen door hem en den Staatssecretaris onderteekeut worden.

Briefwisseling met buitenlandsche Mogendheden.

80 (83). De Staatspresident met den Uitvoerenden Raad heeft het recht om de straf of straffen, ter zake van wangedrag of misdaad, uitgesproken, te verminderen of kwijt te schelden, op voordracht van het Hof, dat het vonnis heeft geveld, of op verzoek van den veroordeelde, na daaromtrent het advies van het Hof te hebben ingewonnen.

Staatspres. m. d. Uitvoerenden Raad kan uitgesproken straffen verminderen of kwijtschelden na ingewonnen advies van het Hof.



Eed door den Staats-  
president te worden  
afgelegd.

81 (84). Voor het aanvaarden van zijn ambt, zal hij den volgende eed in handen van den Volksraad afleggen:

« Als verkozen tot Staatspresident dezer Republiek beloof en zweer ik plechtig, dat ik getrouw zal zijn aan het volk; dat ik in mijne betrekking naar recht en wet zal handelen, volgens mijn beste kennis en geweten, zonder aanzien des persoons; dat ik aan niemand eenige gunst of gift gedaan heb om tot die betrekking te geraken; dat ik van niemand eenige gift of gunst zal aannemen, wanneer ik vermoeden kan, dat deze gift of gunst gedaan of bewezen zou worden met het oogmerk om van mij een besluit ten voordeele van den begunstiger of gever te gewinnen; dat ik mij zal gedragen overeenkomstig de Grondwet dezer Republiek, en niets anders bedoel dan de bevordering van het geluk en welzijn van hare ingezetenen in het algemeen.»

Samenstelling van  
den Uitv. Raad.

82 (85). De Staatspresident oefent zijne macht uit met den Uitvoerenden Raad. Den Staatspresident zal een Uitvoerende Raad toegevoegd worden, bestaande uit den Commandant-Generaal, twee stemgerechtigde burgers, een Secretaris en een Notulenhouders, welke gelijke stem zullen hebben en den titel voeren van leden van den Uitvoerenden Raad. De Superintendent van Naturellen Zaken en de Notulenhouders zullen ex-officio lid zijn van den Uitvoerenden Raad. De Staatspresident en leden van den Uitvoerenden Raad zullen wel zitting, doch geen stem in den Volksraad hebben. Het zal den Staatspresident vrijstaan bij voorkomende belangrijke zaken de hoofdamttenaren uit te noodigen in den Uitvoerenden Raad tegenwoordig te zijn, wier departement het te behandelen onderwerp meer direct aangaat. Gezegde hoofdamttenaar zal alsdan een stem in den Uitvoerenden Raad hebben, mede verantwoordelijk zijn voor de genomen besluiten en die mede onderteekenen. <sup>1)</sup>

<sup>1)</sup> De betrekking van den Notulenhouders, zijn salaris en zittingstijd en de wijze van zijn inzweren zijn ingesteld en geregeld geworden bij Volksraadsbesluit van 27 Mei 1889, artt. 253 en 256. Zie ante, pag. 150 en 151. Door de instelling van deze betrekking verviel de redactie van art. 85, zooals door de Rechtsgeleerde Commissie voorgesteld en werd de door de minderheid der Commissie uit den Volksraad voorgestelde redactie aangenomen. Zie Volksraadsbesluit van 16 Juli 1889, art. 1009.

Zie de noten in Wetboek 1844—1885 ad art. 85 Grondwet, pag. 46.

Zie verder Volksraadsbesluit art. 480, dd. 28 Juni 1883, zelfde Wetboek, pag. 1215. Volksraadsbesluit art. 981, dd. 22 October 1884, zelfde Wetboek pag. 1274.

Zie verder art. 2 der instructie voor het Hoofd van het Mijnwezen door den Volksraad vastgesteld bij besluit van 9 Juli 1888, art. 938—948. Men zal deze instructie, welke sedert onveranderd bleef, vinden in de laatste uitgaaf van de Goudwet.

83. Volgens de bedoeling van art. 82<sup>1)</sup> zullen als hoofdambtenaren beschouwd worden: de Staatsprocureur, Thesaurier, Auditeur, Superintendent van Onderwijs, Weesheer, Registrateur van Akten, Landmeter-Generaal, Postmeester-Generaal, het Hoofd van het Mijnwezen, Hoofddirecteur van den Telegraafdienst en het Hoofd van Publieke Werken<sup>1)</sup>.

Bepaling wie hoofdambtenaren zijn.

(\*) 84 (86). De Staatspresident zal Voorzitter van den Uitvoerenden Raad wezen, en bij staking van stemmen eene beslissende stem hebben.

Staatspresident beslissende stem Uitv. Raad.

Bij de bekrachtiging van doodvonnissen of oorlogsverklaringen zal de eenparige stem van den Uitvoerenden Raad ter beslissing vereischt worden.

Doodvonnis of oorlogsverkl. eenparige stem Uitv. Raad.

85 (87). Geregeld eens in de maand en op zoodanige andere tijden als de Staatspresident zal noodig oordeelen, zal de Uitv. Raad zitting houden ten zijne kantore<sup>2)</sup>.

Tijden van zittingen van den Uitv. Raad.

86. De Staatspresident met twee leden maken een quorum uit<sup>3)</sup>.

Staatspr. en 2 leden maken quorum.

87 (88). Alle besluiten van den Uitvoerenden Raad en ambtsbrieven van den Staatspresident, moeten behalve door hem, ook door den Staatssecretaris onderteekeerd worden. De mede-onderteekeenaar is tevens verantwoordelijk dat de inhoud van het besluit of van den brief niet strijdt met de bestaande wetten.

Staatssecretaris onderteekeert mede alle besluiten van den Uitv. Raad en ambtsbrieven.

88 (89). De beide stemgerechtigde burgers of leden van den Uitvoerenden Raad, bedoeld bij art. 82, worden door den Volksraad gekozen voor den tijd van 3 jaren; de Commandant-Generaal voor 10 jaren; zij moeten lidmaten eener Protestantsche Kerk zijn, geen onteerend vonnis te hunnen laste gehad en den ouderdom van 30 jaren bereikt hebben<sup>4)</sup>.

Non-officiële leden Uitv. Raad voor 3 jaren gekozen. Comm.-Generaal voor 10 jaar. Hunne vereischten.

89. De Staatssecretaris wordt mede door den Volksraad gekozen; doch aangesteld voor den tijd van vier jaren. Bij aftreding is hij herkiesbaar. Hij moet lidmaat eener Protestantsche Kerk zijn, geen onteerend vonnis

Staatssecretaris wordt gekozen voor 4 jaar, enz. Vereischten die hij moet bezitten.

<sup>1)</sup> Dit artikel komt niet voor in de oude Grondwet. De Rechtsgeleerde Commissie voegde het in als art. 85a. De Commissie uit den Volksraad stelde voor het Hoofd van Telegraphie en van Publieke Werken ook op te nemen. Dit werd aangenomen (art. 1010, 16 Juli 1889) echter werd de naam Hoofd van Telegraphie veranderd in Hoofddirecteur van den Telegraafdienst.

Zie verder bijlage tot de Grondwet. Wet No. 3, 1881, art. 6. Wetboek 1809—1885, pag. 1027.

Zie Volksraadsbesluit art. 981, dd. 22 October 1884, zelfde Wetboek, pag. 1274.

Zie art. 2 Instructien Hoofd van het Mijnwezen. Zie mijn noot ad art. 82 (oud 85) dezer wet.

Zie Wet No. 3, 1884, art. 27, zelfde Wetboek pag. 1294.

<sup>2)</sup> Zie Wetboek 1849—1885. Wet No. 3, 1881, art. 8, pag. 1027.

<sup>3)</sup> Zie Wetboek 1849—1885. Wet No. 3, 1881, art. 9, pag. 1027.

<sup>4)</sup> Zie Volksraadsbesluit van 25 October 1881, Wetboek 1849—1885, pag. 1021.



Van den eed te worden afgelegd door den Commandant-Generaal en leden van den Uitv. Raad.

Van den eed door den Staatssecretaris te worden afgelegd.

Plichtverzuim van den Staatspresident of leden van den Uitv. Raad.

te zijnen laste gehad hebben, vast goed in de Republiek bezitten en den ouderdom van 30 jaar bereikt hebben.

90 (91). Alvorens de leden van den Uitvoerenden Raad en de Commandant-Generaal hunne betrekking aanvaarden leggen zij den ambtseed in handen van den Volksraad af en teekenen denzelve. Die eed zal zijn van gelijken inhoud als die van den Staatspresident, gewijzigd naar den titel of de betrekking van den beëdigde, en die van den Commandant-Generaal, naar den inhoud van art. 106 (oud 108).

91 (92). Alvorens de Staatssecretaris zijn betrekking aanvaardt, legt hij een gelijken eed af als de leden van den Uitvoerenden Raad met een geringe wijziging naar den aard zijner betrekking.

92 (93). Ingeval de Volksraad oordeelt aan de klachten in art. 31 (oud 34) vermeld gevolg te moeten geven, zal hij de aanklacht, tot het doen van onderzoek, in handen stellen van den Staatsprocureur. Blijkt uit dat onderzoek dat de aanklacht gegrond is, dan zal de Volksraad de aanklacht verzenden naar het Hoog Gerechtshof, of het Hof bedoeld in art. 61, onder kennisgeving van die verzending aan den bedoelden Staatsprocureur. Dit Hof, dat alsdan de zaak zal moeten behandelen, zal dan van de zaak kennis nemen en in het hoogste ressort uitspraak doen.

#### OVER DE KRIJGSMACHT EN DEN KRIJGSRAAD.

Krijgsmacht bestaat uit al de weerbare mannen en ook uit kleurlingen.

(\*) 93 (96). De krijgsmacht bestaat uit al de weerbare mannen van deze Republiek, en zoo noodig uit al die der kleurlingen binnen 's lands, wier Opperhoofden aan haar onderworpen zijn.

Landspolitie en artillerie.

94. Behalve de gewapende burgermacht in tijden van onlusten of oorlog op te roepen, bestaat er een algemeene landspolitie en korps artillerie, waarvoor telken jare een vaste som op de begrooting staat uitgetrokken.<sup>1)</sup>

Wat weerbare mannen zijn.

(\*) 95 (97). De weerbare mannen van de blanken zijn alle manspersonen, tusschen den ouderdom van 16 en 60 jaren; en van de kleurlingen, allen die in staat zijn om in den krijg van dienst te wezen.

Totindeeling van de Krijgsmacht wordt de Republiek verdeeld in Veldcornetschappen en Districten.

(\*) 96 (98). Tot indeeling van de krijgsmacht wordt het grondgebied dezer Republiek verdeeld in veldcornetschappen en districten. De scheidingslijnen dier veldcornetschappen en districten worden bepaald door en bij gezamenlijk overleg van den Staatspresident, den Commandant-Generaal en de aangrenzende Commandanten

<sup>1)</sup> Dit artikel komt het eerst voor in de bijlage tot de Grondwet van 1877, art. 19, Wetboek 1849—1885, pag. 682. De bepaling van de getalsterkte is geschrapt geworden.

en Veldcornetten; en ieder inwoner zal verplicht wezen om onder het veldcornetschap of district, waaronder hij woont, aan die autoriteiten te gehoorzamen.

(\*) 97 (99). De manschappen staan onder het bevel van de volgende Officieren, zijnde naar rang van opklimming: Assistent-Veldcornetten, Veldcornetten, Commandanten en een Commandant-Generaal. Wie zijn officieren.

98 (100). De Officieren worden bij meerderheid van stemmen gekozen, namelijk: de Assistent-Veldcornetten en Veldcornetten door de stemgerechtigde burgers der wijken; zoo ook de Commandanten door de stemgerechtigde burgers der districten en de Commandant-Generaal door al de stemgerechtigde burgers dezer Republiek. Stemgerechtigde burgers volgens dit artikel zijn burgers die den ouderdom van 18 jaren bereikt hebben. De kiesloten voor de verkiezing der Officieren zullen bij de Landdrosten bezorgd worden, die deze zullen moeten opzenden aan den Uitvoerenden Raad. De Uitvoerende Raad zal verplicht wezen aan den gekozen Commandant-Generaal van de op hem gevallen keuze kennis te geven <sup>1)</sup>. Van de kiezing der officieren.

99 (101). Zij worden aangesteld: de Commandant-Generaal voor 10 jaren, de Commandanten voor 5 jaren, de Veldcornetten en Assistent-Veldcornetten voor 3 jaren, en zijn bij aftreding herkiesbaar. De Commandant-Generaal zal van zijn post ontslagen of ontzet worden, bij overtuiging van misdaden, vermeld in art. 60 <sup>2)</sup>. De Uitv. Raad geeft den nieuw gekozen Commt.-Gener. kennis van de kiezing. Diensttijd van de krijgsofficieren.

100 (102). Voor elk district zal niet meer dan één Commandant gekozen worden. Eén Commandant voor ieder district.

(\*) 101 (103). De krijgsmacht, met uitzondering der gekleurde huurlingen, worden opgeroepen tot handhaving van orde; tot commando's ter gelegenheid van binnenlandsche opstanden en zonder eenige uitzondering tot verdediging des lands en tot beoorloging van buitenlandsche vijanden. Wanneer de Krijgsmacht wordt opgeroepen.

(\*) 102 (104). Is opgedragen aan de Assistent Veldcornetten en Veldcornetten, de handhaving van orde; aan de Commandanten de commando's ter zake van binnenlandsche opstanden der kleurlingen; aan den Commandant-Generaal de commando's tot demping van onlusten onder de blanke bevolking, de verdediging des lands en het beoorloging van buitenlandsche vijanden; in welke gevallen de Commandant-Generaal het opperbevel over het geheele leger zal hebben. Plichten der Veldcornetten, Commandanten en Commt.-Generaal. Opperbevel des legers heeft Commt.-Generaal.

<sup>1)</sup> Zie art. 4 van Wet No. 2, 1876. Wetboek 1849—1885, pag. 650. Deze Wet is vervangen door Wet No. 2, 1883. De bepaling over het verkiezen van den Commandant-Generaal is echter in de nieuwe wet niet behandeld. Vergelijk verder art. 47 dezer wet.

<sup>2)</sup> Zie mijn noot bij art. 88. Vergelijk echter ook dit art. met art. 88 dezer wet.



Handhaving van  
orde.

Commandos tegen  
opstanden van  
kleurlingen.

Demping van on-  
lusten onder de  
blanke bevolking.

Verdediging des  
lands en het voeren  
van oorlog.

Van het geven van  
orders.

Beëdiging van Offi-  
cieren en den Com-  
mandant-Generaal.

Vorm van den eed.

(\*) 103 (105). Wordt verstaan door:

(a) Handhaving van orde: de nakoming der wetten; de ten uitvoerlegging der vonnissen na ontvangen order en de inachtneming der maatregelen van algemeen en plaatselijk belang; voorts het opzicht over de kleurlingen en het tegengaan van landlooperij en vagebondage in de veldcornetschappen.

(b) Commando's ter zake van opstanden der kleurlingen: het tot plicht brengen van binnenlandsche Kaffer-opperhoofden.

(c) Commando's tot demping van onlusten onder de blanke bevolking: het aanvoeren van voldoende macht naar het district waar de onlusten zijn uitgebroken; en door

(d) Verdediging des lands en het voeren van oorlog: het ten uitvoer brengen van de oorlogswet, [zie art. 23 (oud art. 26) en art. 66 (oud art. 70)] het te velde trekken aan het hoofd des legers.

(\*) 104 (106). Al de orders ontvangen de onderhorigen van de boven hen gestelde officieren en ambtenaren.

105 (107). Al de officieren, uitgenomen de Commandant-Generaal, zullen voor het aanvaarden hunner betrekking beëdigd worden door den Staatspresident overeenkomstig art. 77 (oud art. 80). de Commandant-Generaal zal voor den Volksraad beëdigd worden, overeenkomstig art. 90 (oud art. 91) en 106 (oud art. 108).

(\*) 106 (108). Hun eed zal zijn van den volgende inhoud:—

«Ik beloof en zweer plechtig trouw aan het volk dezer Republiek; in mijne betrekking naar wet, recht en billijkheid te zullen handelen, volgens mijn beste kennis en geweten, zonder aanzien des persoons, dat ik aan niemand eenige gift of gunst gedaan of beloofd heb om tot die betrekking te geraken; van niemand eenige gift of gunst te zullen aannemen wanneer ik vermoeden kan dat deze gedaan of bewezen zou worden om mij in mijne betrekking ten voordeele van den gever of begunstiger over te halen; te zullen gehoorzamen aan de bevelen der boven mij gestelden, volgens de wet, en niets anders te beoogen dan den bloei, de welvaart en onafhankelijkheid van het land en volk dezer Republiek» <sup>1)</sup>.

<sup>1)</sup> Zie voor eed Veldcornetten en Assistent-Veldcornetten, Wet No. 2, 1885, art. 37, Wetboek 1849—1885, pag. 1337.

(\*) 107 (110). De Veldcornetten zullen, buiten wettige verhindering alle drie maanden verslag doen aan de Landdrosten van hetgeen met en omtrent hunne onderhoorigen in de wijken in de afgelopen maanden is voorgevallen; en zoo vele malen, buiten dien tijd als een rapport onmiddellijk vereischt wordt. Betreffende krijgszaken zal de Veldcornet ook verplicht en gehouden zijn om, behalve aan den Landdrost, ook aan den boven hem gestelden Commandant verslag te geven en te rapporteeren.—Daaraan niet voldoende, of bij nalatigheid, zal hij beboet worden met Rds. 10.

Verslag te worden gedaan door de Veldcornetten aan den Landdrost en Commandant.

(\*) 108 (111). De Commandanten zenden de bij hen ingekomene drie maandelijksche verslagen der Veldcornetten, met bijvoeging van hun eigen verslag, benevens hunne aanmerkingen aan den Commandant-Generaal. Deze handelt desgelijks met de verslagen der Commandanten, bij de toezending van zijn verslag aan den Staatspresident, en zonder oponthoud moeten die verslagen naar den Staatspresident verzonden worden.

Verslag der Commandanten aan den Comm.-Generaal.

Verslag van den Comm.-Gen. aan den Staatspresident.

(\*) 109 (119). De Veldcornetten zullen eene lijst houden van de dienstplichtigen hunner wijken en die lijst zoodanig inrichten, dat daaruit blijkt, wie ter handhaving van orde, bedoeld in letter a, art. 103 (oud art. 105), moet opgeroepen worden, opdat de diensten van de manschappen evenredig onder hen verdeeld worden.

De Veldcornetten zullen lijsten houden van de dienstplichtigen hunner wijken.

(\*) 110 (121). De Commandant-Generaal heeft zitting in den Uitvoerenden Raad als lid van denzelven.

Comm.-Gen. is lid van den Uitv. Raad.

(\*) 111 (122). In het veld heeft de Commandant-Generaal het oppertoezicht over krijssammunitie van den Staat. [Zie verder daaromtrent art. 78 (oud art. 81)].

Toezicht over krijssammunitie.

(\*) 112 (123). De Commandanten en Veldcornetten voldoen aan de bevelen der Landdrosten, voor zoo verre zij volgens de bepaling der wetten omtrent de rechterlijke administratieve macht daarmede in aanmerking komen.

Commandanten en Veldcorn. verplicht administratieve bevelen der Landdrosten te gehoorzamen.

113 (124). Van de overtreding vermeld in art. 107 wordt door de Officiëren kennis gegeven aan de Landdrosten hunner districten, die voor de invordering der boeten zullen zorg dragen.

Boeten in art. 107 bepaald worden door de Landdrosten ingevorderd.

(\*) 114 (126). Eene maand na den afloop van een commando zal de Staatspresident zorg dragen dat door tusschenkomst der Landdrosten aan de zwaar gekwetsten, de weduwen en weezen der gesneuvelden het hun toegewezen deel uit den buit toekome.

Staatspres. zorgt dat aan zwaar gekwetsten, weduwen, enz., hun deel van den buit toekomen.

#### OVER DE RECHTELIJKE MACHT EN DE RECHTSBFDEELING.

115 (127). Het Volk vertrouwt de rechtspraak toe aan:

Over de Rechtspraak.

a. Een Hoog Gerechtshof;

b. Een Rondgaand Hof;

c. De Landdrosten in hunne qualiteit en zoo-



danige andere ambtenaren als door de Wet met rechtelijke bevoegdheid zullen worden bekleed.

De Hoven doen uitspraak zoo spoedig mogelijk na het voldingen der zaak.

De Hoofdrechter en Strafrechters moeten behoorlijk in de rechten gepromoveerd zijn.

Het Openbaar Ministerie der Publieke Vervolging berust bij den Staatsprocureur en onder zijn toezicht bij de Publieke Aanklagers der verschillende districten.

De Leden der beide eerste Hoven worden voor hun leven aangesteld.

De Wet regelt voor hen de wijze waarop bij wangedrag of onbekwaamheid hun ontslag eervol of niet eervol, zal worden verleend <sup>1)</sup>.

Landdrosten aan het volk te worden voorgedragen.

116 (128). De Landdrosten worden door den Uitvoeren Raad aangesteld; telkens bij het ontstaan eener vacature worden twee personen, bezittende de qualificatien voor ambtenaren volgens de Grondwet, aan de stemgerechtigde burgers van het betrokken district voorgedragen, om uiterlijk binnen den tijd van twee maanden hunne keuze uit zoodanige twee candidaten bij vrije stemming door meerderheid te bepalen en den Uitvoeren Raad schriftelijk van den uitslag van zoodanige stemming kennis te geven. De Landdrosten moeten één jaar stemgerechtigde burgers geweest en lidmaten eener Protestantsche Kerk zijn, geen onteerend vonnis ten hunnelaste gehad en den ouderdom van 30 jaren bereikt hebben.

Vereischten die de Landdrosten moeten bezitten.

Volksraad benoemd Landdr. waar zetel v. Gouvernement is.

117. De Landdrost van de plaats waar de zetel van het Gouvernement is zal worden benoemd op voordracht van den Uitvoeren Raad door den Volksraad. Om daartoe benoembaar te wezen zal het geen vereischte zijn reeds eenigen tijd burger van dezen Staat te zijn geweest <sup>2)</sup>.

Landdrosten moeten borg stellen.

118 (130). De Landdrosten zullen tevens vóór de aanvaarding hunner betrekking behoorlijk borg stellen volgens Wet.

Van de gezworenen.

(\*) 119 (131). De gezworenen zullen stemgerechtigde burgers zijn, geen onteerend vonnis ten hunne laste gehad en den ouderdom van 30 jaren bereikt hebben.

Bepaling aangaande de oproeping der gezworenen.

(\*) 120 (133). De oproeping der gezworenen geschiedt zoodanig in tijds, dat zij buiten de reis drie vrije dagen tot hunne beschikking hebben <sup>3)</sup>.

<sup>1)</sup> Zie proclamatie dd. 9 Augustus 1881 en noot aldaar. Wetboek 1849—1885, pag. 1011.

Zie aangaande Staatsprocureur Wet No. 8, 1887, Wetboek 1886—1887, pag. 130.

<sup>2)</sup> Zie art. 18 Lijdenburgsche Conventie, Wetboek 1849—1885, pag. 138.

<sup>3)</sup> Zie Volksraadsbesluit van 10 Juni 1885, art. 360, Wetboek 1849—1885, pag. 1388.

121 (135). De verkozenen tot Landdrost zullen indien zij bedenkingen tegen de op hen uitgebrachte keuze meenen te maken, die bedenkingen, binnen de eerste 30 dagen, nadat die keuze op hen gevallen is, aan den Staatspresident inzenden.

Nieuw gekozen Landdrosten kunnen zich verontschuldigen.

(\*) 122 (136). Indien zij binnen dien tijd geene bedenkingen inzenden, dan worden zij beschouwd die betrekkingen te aanvaarden.

Wanneer geen verontschuldigen gemaakt worden wordt betrekking geacht aangenomen te zijn.

123 (138). De gezworene, die niet voldoet aan de oproeping, vermeld in Art. 120 (oud art. 133), wordt beboet met Rds. 100, tenzij hij redenen van verschooning kan bijdragen, voorzien in Art. 35 (oud art. 38).<sup>1)</sup>

Boete voor gezworene die niet verschijnt.

124 (139). De Landdrosten leggen vóór het aanvaarden hunner betrekking den volgenden eed in handen van den Staatspresident en leden van den Uitvoerenden Raad af.

Eed voor Landdrosten.

«Ik beloof en zweer plechtig trouw aan het Volk en de Wetten dezer Republiek, in mijne betrekking en ambt rechtvaardig, billijk, zonder aanzien des persoons, overeenkomstig de Wetten, en naar mijn beste kennis en geweten te zullen handelen; van niemand eenige gift of gunst te zullen aannemen, wanneer ik vermoeden kan, dat deze gedaan of bewezen zou worden om mij in mijne uitspraak of handeling ten voordeele van den gever of begunstiger over te halen; buiten mijne betrekking als Rechter te zullen gehoorzamen volgens de Wet aan de bevelen der boven mij gestelden, en in het algemeen niets anders te beoogen dan de handhaving van Wet, recht en orde tot bevordering van den bloei, de welvaart en de onafhankelijkheid van land en volk.»

125 (140). De jurieleiden zullen, vóór dat zij zitting nemen, den volgenden eed afleggen;

Eed voor gezworenen.

«Ik beloof en zweer plechtig in mijne betrekking als gezworene, rechtvaardig, billijk, zonder aanzien des persoons, naar mijn beste kennis en geweten zullen handelen en uitspraak doen over de zaken en beschuldigingen mij ter beoordeeling voorgelegd, volgens de Wet; van niemand eenige gift of gunst te hebben aangenomen, waaruit ik vermoeden

<sup>1)</sup> Art. 138 (oude Grondwet) naziende, zal men vinden dat daar blijkbaar een drukfout is ingeslopen. De artt. 132 en 37, waarnaar in dit artikel wordt gerefereerd, moeten blijkbaar zijn respectievelijk artt. 133 en 38.



kan dat deze gedaan of bewezen is geworden om mij in mijne uitspraak ten voordeele van den geveer of begunstiger over te halen, en voorts niets anders te beoogen dan de handhaving van Wet, recht en orde, tot bevordering van den bloei en de welvaart dezer Republiek.»

Veldcornetten belast met het schikken van geschillen en voorkomen van processen in hunne wijken.

126 (145). De Veldkornetten zullen de geschillen tusschen de inwoners hunner wijken zooveel mogelijk bijleggen en het voeren van processen voorkomen. Tot dat einde wordt een ieder gerechtigd om dengeen met wien hij in geschil is, op een door den Veldkornet te bepalen tijd voor dezen te ontbieden. Door partijen zullen de kosten, door den Veldkornet te maken, volgens tarief betaald worden.

Vonnissen in het openbaar te worden uitgesproken.

127 (149). Alle vonnissen zoo in burgerlijke als in lijfstraffelijke zaken worden in het openbaar uitgesproken en ten uitvoer gelegd in naam van het volk der Zuid-Afrikaansche Republiek. De lijfstraffen aan blanke misdadigers in deze Republiek op te leggen zullen zijn:

Lijfstraffen voor blanken.

Gevangenschap.

Dwangarbeid, met of zonder ijzers naar den aard der zaak.

Transportatie of Verbanning, en De Dood.

Geen blanke veroordeeld tot slagen.

Geen blanke zal tot slagen aan den lijve kunnen worden veroordeeld, indien niet uitdrukkelijk door de Wet bepaald.

Over appèl.

128 (153). De eischers in beroep zullen betalen, voor het geval dat hun appèl ongegrond bevonden of ontzegd wordt voor een beroep van het vonnis van het Hof van den Landdrost 5 Rds. Blijken zij later goede eischers in beroep (appellanten) te zijn geweest, dan worden hun die gelden teruggegeven.

Afschriften van stukken.

Iedere bladzijde 25 regels, en iedere regel 12 lettergrepen te bevatten.

(\*) 129 (154). De afschriften der stukken door partijen gevorderd, zullen door de Klerken opgemaakt worden en daarvan zal iedere bladzijde 25 regels en iedere regel door elkander twaalf lettergrepen bevatten; de Klerken zullen voor iedere bladzijde twee schellingen en vier stuivers in rekening brengen.

Verlof om Pro Deo te procederen.

(\*) 130 (156). Ingeval iemand onvermogen is om een proces te voeren en echter meent daaraan geegronde redenen te hebben zal hij een schriftelijk aanzoek tot dat einde aan den Landdrost van het Hof, waarvoor zijne zaak dienen moet, inleveren. Dat Hof zal hem het voeren van het proces toestaan en van de betaling der gerechtskosten vrijstellen, mits:—

(a) Hij overgelegd heeft een schriftelijk bewijs van zijnen Velkornet en twee zijner burenen, dat hij onvermogen is;

(b) Het Hof bij een voorloopig onderzoek van zijnen eisch en na daaromtrent de tegenpartij gehoord te hebben, bevonden heeft dat zijn eisch gegrond kan zijn.

131 (157). De zittingen der Gerechtshoven zullen gehouden worden:

Dagen en tijden voor het houden der Gerechtshoven.

Die der Landdrosten alle dagen des morgens van 10 tot 3 uur.

De Hoogere Hoven volgens proclamatie en regels daarvoor voorziening makende.

132 (161). De klerk buiten voldoende redenen zijne plaats onvervuld latende, zal door den Landdrost onder kennisgeving aan den Staatspresident, in zijne betrekking voor een bepaalden tijd kunnen gesuspendeerd en een ander in zijne plaats aangesteld worden, na dezen vooraf den eed te hebben afgenomen volgens Wet.<sup>1)</sup>

Afwezigheid van den Klerk. --

(\*) 133 (164). De Gerechtshoven zullen bij de bepaling der straffen in het oog houden, dat daar dezelfde straf voor den een lichter of zwaarder kan zijn dan voor den ander het de bedoeling van den wetgever is, om een ieder wegens gelijke schending van Wet ook even zwaar te bestraffen, en dat mitsdien de straffen dienoverkomstig bepaald moeten worden.

Beginsel hetwelk de gerechtshoven in het oog moeten houden bij bepaling van straf.

(\*) 134 (168). De Gerechtshoven zullen de kennisneming der zaken, zooveel mogelijk, trachten te bespoedigen en vervolgens, zoodra mogelijk, uitspraak in dezelve doen.

Gerechtshoven moeten de zaken zooveel mogelijk trachten te bespoedigen.

(\*) 135 (169). De Klerk of de Landdrost zal een register houden van alle zaken, die door partijen voor het Hof zullen gebracht worden en dit register dagelijks bijschrijven.

Behoorlijk register van alle zaken te worden gehouden.

#### OVER DE ADMINISTRATIVE MACHT OF DE LANDSAMB- TENAREN.

(\*) 136 (171). De administrative macht, of het inlandsche bestuur, ontleent haar gezag aan den Uitvoerenden Raad, en staat onder de bevelen van den Staatspresident en de leden van den Uitvoerenden Raad.

Administratieve Macht.

<sup>1)</sup> In de gewijzigde Grondwet, zooals gepubliceerd in de *Staatscourant* van 13 Februari 1889, en waaraan door Volksraadsbesluit van 16 Juli 1889, art. 998 kracht van Wet is gegeven, behoudens bijzondere besluiten, op sommige artikelen te nemen, staat in het slot van dit artikel: "na dezen vooraf den eed te hebben afgenomen, vermeld bij art. 140 (n.l. oud art. 140). Bij bijzonder besluit (Volksraadsbesluit 1028, dd. 17 Juli 1889) werd art. 140 veranderd in 141 (n.l. oud art. 141). Het is blijkbaar dat hier een vergissing werd gemaakt, daar het oude art. 141 vervangen is geworden door art. 5, Wet No. 1, 1874, Wetboek 1849—1885, pag. 542, en daarom in de gewijzigde Grondwet geschrapt was geworden. De redactie van het slot is dus veranderd moeten worden.



De Wet wijst  
administratieve  
ambtenaren aan.

Grondgebied in dis-  
trikten verdeeld.

Bestuur van ieder  
distrikt.

Command. en Veldc.  
staan ten dienste van  
's lands ambtenaren.

Districtsraden,  
Stads- en Dorps-  
besturen.

Distriktsraden zor-  
gen voor openbare  
wegen en werken  
van 't distrikt.

Distrikt draagt kos-  
ten van distrikts-  
bestuur behoudens  
uitzonderingen.

Burgemeester en  
raad aan 't hoofd v.  
stads- of dorpsbest.

Iedere plaats draagt  
de kosten harer ad-  
ministratie.

Regels voor plaatse-  
lijke begrooting.

Publicatie in *Staats-  
courant* door Veldc.  
bekend gemaakt.

137 (172). Zij is in handen van zoodanige amb-  
tenaren als door de Wet bepaald.

138 (173). Het grondgebied is voor dat bestuur  
verdeeld in distrikten, waartoe behooren afdeelingen en  
steden of dorpen. Veranderingen in de afdeeling van  
distrikten of wijken geschieden volgens art. 98 van de  
oude Grondwet. (Art. 96 dezer Wet).

139 (174). Ieder distrikt wordt bestuurd door een  
Landdrost, bijgestaan door zoodanige ambtenaren als  
door de Wet aan hem toegevoegd zullen worden. De  
Commandanten en Veldkornetten der afdeelingen staan,  
wat dat bestuur aanbelangt, ten dienste van voor-  
noemde landsambtenaren.

140. Distriktsraden en Stads- of Dorpsbesturen  
kunnen opgericht worden waar de bevolking zulks  
verlangt. Aan het hoofd van ieder distrikt staat een  
Landdrost, die ex-officio Voorzitter is van den Districts-  
Raad, te kiezen door de burgers van het distrikt, uit  
zooveel leden bestaande als er Veldkornetschappen zijn.

141. Aan de Distriktsraden is de zorg der open-  
bare wegen of andere openbare werken in het distrikt  
toevertrouwd, benevens van alle andere zaken welke  
door de Wet hun worden opgelegd.

142. Met uitzondering van de bij de Wet vast-  
gestelde salarissen worden alle kosten van het Distrikts-  
bestuur door het distrikt zelf gedragen. Jaarlijks  
wordt daartoe eene begrooting van inkomsten en uit-  
gaven gemaakt door den Distriktsraad vastgesteld en  
aan den Uitvoerenden Raad ter goedkeuring opgezonden.  
Telken jare wordt op gelijke wijze rekening ge-  
daan van het verlopen dienstjaar, die door den Dis-  
triktsraad wordt gesloten en voor finale goedkeuring  
aan den Uitvoerenden Raad wordt opgezonden.

De Distriktsraad zal vóór het heffen van eenige  
belasting de goedkeuring van den Volksraad vooraf  
ontvangen.

143. Aan het hoofd van ieder stads- of dorpsbestuur,  
bij de wet als zoodanig erkend, staat een Burgemeester  
en een Raad van 6 of 8 leden, naar de bevolking.

Alle kosten tot goedmaking van deze plaatselijke  
administratie worden door iedere plaats gedragen. Voor  
het heffen van eenige belasting door een Stads- of  
Dorpsbestuur wordt de goedkeuring der wet vereischt.

Voor de plaatselijke begrooting en rekening gelden  
dezelfde regels als in het vorig artikel voor die van  
een district zijn vastgesteld.

(\*) 144 (175). Alle publicatiën worden in de *Staats-  
courant* gepubliceerd en door de Veldcornetten in hunne  
afdeelingen, door bijeenroeping van de inwoners dier  
afdeelingen, kenbaar gemaakt.

(\*) 145 (176). Alle ambtenaren zijn verplicht, om de bij hen ontvangen wordende ambtsbrieven zoodra mogelijk te beantwoorden en aan derzelve inhoud te voldoen. Ambtsbrieven moeten spoedig beantwoord worden, enz.

(\*) 146 (177). De Veldcornetten zullen nauwkeurig aantekening houden van alle nieuwe inwoners die in hunne afdeeling komen; van alle verplaatsing of verhuizing der inwoners naar elders; van alle sterfgevallen onder hen plaats gehad hebbende; van alle mannelijke blanke personen die den ouderdom van 16 jaren hebben bereikt. Plicht der Veldcornetten met betrekking tot inwoners in hun wijk.

(\*) 147 (185). Alle tochtgangers die dit grondgebied binnen komen zullen niet mogen handelen voor dat zij van eene licentie voorzien zijn, welke op een der Landdrost-kantoren verkregen en door den Landdrost onteekend is. Tochtgangers.

(\*) 148 (186). Het zal niet toegelaten worden dat inkomende personen zich in eenige onbewoonde streken gaan vestigen in deze Republiek, zonder voorkennis en verlof van het Gouvernement van dezen Staat. Inkomende personen mogen zich niet vestigen in onbewoonde streken.

149 (187). De Landdrosten worden, waar zulks niet is toevertrouwd aan een Stads- of Dorpsbestuur, belast met het toezicht over stad of dorp, benevens over alle ondergeschikte beambten, opdat alle zaken in geregelde orde geschieden. Landdrost is belast met het toezicht over stad of dorp.

#### OVER DE GELDMIDDELEN VAN DEN STAAT.

150 (188). De inkomsten van den Staat en belastingen der ingezetenen worden geregeld door de Wet. Inkomsten van den Staat geregeld door Wet.

151 (194). Alle plaatsen en gronden der ingezetenen worden door de Regeering der Republiek als vaste eigendommen gewaarborgd, met het recht aan het Gouvernement gelaten om een algemeenen weg tot gebruik der ingezetenen, over zulke plaatsen te bepalen, wanneer het vereischt wordt. (1) Gronden in eigendom gewaarborgd, Gouvernement behoudt het recht algemeene wegen te bepalen.

(\*) 152 (198). Al wie buiten de Republiek wonende onbewoonde gronden of plaatsen in deze Republiek bezit, zal voor iedere plaats, zoolang deze onbewoond is, jaarlijks eene dubbele belasting betalen. Dubbele belasting voor onbewoonde plaatsen.

(\*) 153 (199). De belasting voor ieder erf op de dorpen zal geregeld worden door de Wet en er zullen geen watergelden van het publiek gevorderd worden. Belasting op erven. Geen watergelden te worden gevorderd.

(\*) 154 (201). Alle opgemete of geïnspecteerde plaatsen zullen bij den verkoop, binnen den tijd van zes maanden moeten getransporteerd zijn, en het heerenrecht binnen den tijd van zes maanden betaald; bij verzuim van aan het bovengemelde te voldoen, zal het heerenrecht Transport bij verkoop van geïnspecteerde plaatsen binnen 6 maanden. Boete bij verzuim hiervan.

<sup>1)</sup> Zie ook de noten op het vervallen art. 95 der oude Grondwet. Wetboek 1849—1885, pag. 65.



Belasting ten Land-  
drostk. te voldoen.

dubbel zijn, na de vaststelling dezer wet. De gronden worden getransporteerd van den eersten eigenaar af.

155 (205). De belastingen door het volk te betalen, worden, waar geen andere ambtenaren volgens wet aangesteld zijn, voldaan ten kantore van de Landdrosten der districten.

Requestplaatsen zoo  
spoedig mogelijk te  
worden geinspect.

156 (215). Alle ongeinspecteerde plaatsen, die onder request staan, zullen zoo spoedig mogelijk geinspecteerd moeten worden.

Opmeting en in  
kaart brengen van  
plaatsen door een  
Landmeter.

(\*) 157 (216). Ieder, die eigendommen bezit, en het verkiest, zal buiten de Inspecteurs ook gebruik kunnen maken van een Landmeter, tot opmeting en in kaart brengen zijner gronden.

Geen ambtenaar kan  
rechtszaken vooran-  
deren [waarnemen.

(\*) 158 (218). Geen landsambtenaar zal het recht hebben om zaken voor de Gerechtshoven te verdedigen, dan voor zich zelven.

Herroeping van  
vroegere wetten en  
besluiten.

159 (220). Alle vroegere wetten en besluiten, strijdig met den inhoud dezer wetten, worden geheel buiten werking gesteld.

S. J. P. KRUGER,  
Staatspresident.

C. VAN BOESCHOTEN,  
Wd. Staatssecretaris.

Gouvernementskantoor,  
Pretoria, 19 November 1889.

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## ERRATUM.

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Op pagina 181 luidt de kantteekening van art. 59, (oud 64) van de Grondwet als volgt: «Oudste lid van Uitvoerenden Raad treedt op in geval van dood, ontslag, enz. van den Staatspresident». Lees hiervoor:

«*De Vice-President* treedt op in geval van dood ontslag, enz. van den Staatspresident».

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